CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY

SEVENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 4, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at he desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

Quorum present.

PRAYER

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

O Thou Eternal Light, Shine into our hearts today. We thank Thee for the work we are privileged to do and for the zest that comes from doing it We are grateful for the perpetual touch of the Divine in life and for the image of Thyself in the souls of man. Bless our families and our loved ones. Protect those who defend our Country.

Direct our thoughts and purposes for the fulfillment of Thy holy will in the destiny of our Nation and its place of leadership among the nations of the world.

"O beautiful for heroes proved
In liberating strife,
Who more than self their country loved
And mercy more than life!
America! America!
May God thy gold refine
Till all success be nobleness
And every gain divine!

Through Christ the Lord —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mrs. Niehouse, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Smith, on motion of Mr. Stanley.
Mr. Lipscomb, on motion of Mr. Stanley.
Mr. Lincoln, on motion of Mr. Connolly.
Mr. Davis, on motion of Mr. Lowrey.
Mr. Sherwin, on motion of Mr. Connolly.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Connolly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 57: By Mr. Morris—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to candidates for judicial office.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 599
Assembly Bill No. 877
Assembly Bill No 911

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1752
Assembly Bill No. 2374

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

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 2474

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

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1997

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

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2690
Assembly Bill No. 3405
Assembly Bill No. 3411

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

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2599

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

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3414

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

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 733
Senate Bill No. 1498

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

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1819
Assembly Bill No. 2874
Assembly Bill No. 3031

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1187
Assembly Bill No. 2212
Assembly Bill No. 2755

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 370
Assembly Bill No. 962
Assembly Bill No. 2207
Assembly Bill No. 2512
Assembly Bill No. 3392

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 1038
Senate Bill No. 552
Senate Bill No. 616

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 111
Senate Bill No. 1012
Senate Bill No. 1013

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1164
Assembly Bill No. 1088

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2605

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

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 308—An act to amend Sections 5505 and 5508, and to repeal Section 5562 of the Elections Code, relating to the conduct of elections;

Assembly Bill No. 309—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal initiative elections;

Assembly Bill No. 503—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 528—An act to add Section 176 to the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 531—An act to amend Section 16062 of the Revenue and Taxation Code, relating to gift tax liens;

Assembly Bill No. 532—An act to amend Section 3950 of the Revenue and Taxation Code, relating to actions to determine adverse claims to or clouds upon tax-sold or tax-deeded property purchased from the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 635—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims;

Assembly Bill No. 663—An act to amend Section 96 of the Labor Code, relating to assignment of claims;

Assembly Bill No. 913—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensation Insurance Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 1693—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning;

Assembly Bill No. 1710—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation;

Assembly Bill No. 1711—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 1971—An act to amend Sections 1c and 2b of, to add Sections 2d and 5b to, and to repeal Section 1e of, the Municipal Improvement Act of 1913, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1979—An act to amend Section 6580 of the Health and Safety Code, relating to date of election of officers of sanitary districts;

Assembly Bill No. 2416—An act to amend Sections 3803 and 3807 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-deeded property sold to taxing agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 2418—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property;

Assembly Bill No. 2507—An act to add Section 31030 Article 7, comprising Section 31120, to the Water Code, relating to powers of county water districts;

Assembly Bill No. 2705—An act to amend Section 6103.5 of the Government Code, relating to filing fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 2855—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds;

Assembly Bill No. 3386—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Joint Resolution No. 21—Relative to opposing an increase in the federal gasoline tax;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

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

Assembly Bill No. 298
Assembly Bill No. 418
Assembly Bill No. 607
Assembly Bill No. 925
Assembly Bill No. 1030
Assembly Bill No. 1178
Assembly Bill No. 1271
Assembly Bill No. 1274
Assembly Bill No. 2131
Assembly Bill No. 3020

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1951

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

Senate Bill No. 35
Senate Bill No. 459
Senate Bill No. 648
Senate Bill No. 1549
Senate Bill No. 1560
Senate Bill No. 1578
Senate Bill No. 1719

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 35—An act making an appropriation in augmentation of the appropriation in Item 5 of the Budget Act of 1950, for expenses of Members of the Senate, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 459—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary lines, streets and highways and vehicles using the same.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 648—An act to repeal Education Code Sections 20379, 20344.1, and 20344.2 and to add Chapter 1.5 to Division 10 of said code, relating to schools and colleges under the jurisdiction of the Department of Education.

Referred to Committee on Education.

Senate Bill No. 1549—An act to amend Section 1462.2 of the Penal Code, relating to procedure after arrests for misdemeanors.

Referred to Committee on Judiciary.

Senate Bill No. 1560—An act to amend Section 3440 of, and add Sections 3440.1 and 3440.5 to, the Civil Code, relating to transfers of particular personal property without delivery.

Referred to Committee on Judiciary.

Senate Bill No. 1578—An act to add Section 707.5 to the Streets and Highways Code, relating to removals and relocations of utility facilities to accommodate state freeways.

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

Senate Bill No. 1719—An act to amend Section 924 of the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1646

And respectfully requests your honorable body to concur in said amendments.

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

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 881
Senate Bill No. 956

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

And appointed Senators Hatfield, Ward, and Regan, as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE CONSTITUTIONAL AMENDMENT NO. 16

The Speaker announced the appointment of Messrs. Brown, Clarke, and McGee as a Committee on Conference concerning Senate Constitutional Amendment No. 16.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 282—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund.

And appointed Senators Gibson, Sutton, and Parkman, as a Committee on Conference to meet a like committee from the Assembly

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 282

The Speaker announced the appointment of Messrs Waters, Hollibaugh, and Munnell as a Committee on Conference concerning Senate Bill No. 282.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1696—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1871—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2218—An act to add Section 14074.5 to the Health and Safety Code, relating to the powers and duties of boards of fire commissioners of fire protection districts, in respect to civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2892—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1290—An act to amend Section 18051 of the Education Code, relating to the letting of contracts by school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 425—An act to add Section 225q to the Civil Code, relating to the adoption of children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3400—An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3409—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1070—An act to add Section 1383 to the Water Code, relating to appropriation of water.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2629—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130.1 and 130.2 to said code, relating to joint highway districts and the construction of state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of Berkeley", and insert "Cities of Berkeley and Albany".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of Berkeley", and insert "Cities of Berkeley and Albany".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be two judges each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive six hundred dollars ($600) per month, and who may appoint the following:

Two chief deputies, each of whom shall receive a minimum salary of three hundred dollars ($300) monthly with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

Six deputy clerks, each of whom shall receive a minimum salary of two hundred seventy-five dollars ($275) monthly with annual increments of ten dollars ($10) to a maximum of three hundred twenty-five dollars ($325) monthly;

One deputy clerk, who shall receive a minimum salary of two hundred fifty dollars monthly with annual increments of ten dollars ($10) to a maximum of three hundred dollars ($300) monthly;

Four deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-five dollars ($225) monthly with annual increments of ten dollars ($10) to a maximum of two hundred seventy-five dollars ($275) annually;

(3) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 248—An act to amend Section 1 of an act entitled: "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 16, 1951, strike out lines 39 to 47, inclusive, and insert "of the State Government. Money apportioned to a county out of the Highway Users Tax Fund shall not be considered to be

funds from the State Treasury or funds of any agency which is a part of the Executive Department of the State Government and may be used by such county for matching purposes under this act."

Amendment No. 2

On page 3 of said bill, strike out lines 1 to 7, inclusive, and insert "contract"

Amendment No. 3

On page 3 of said bill, strike out lines 18 to 32, inclusive, and insert

"Funds have already been appropriated for the repair and restoration of the damaged property and the amendments contained in this act make specific certain provisions of the law with regard to which some misunderstanding now exists. It is important that the law be clarified in these regards in order that every applicant for assistance under the act will have the same understanding of its application as every other such applicant. Inasmuch as the repair of such flood damaged property must be performed at once it is necessary in the interest of public health and safety that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "may", and insert "shall".

Amendment No. 2

On page 2, line 34, of said bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1291—An act to amend Section 5901 of the Education Code, relating to school district emergency cash funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "emergency", and insert "revolving".

Amendment No. 2

On page 1, line 5, of said bill, strike out "emergency", and insert "revolving".

Amendment No. 3

On page 1, line 8, of said bill, strike out "emergency", and insert "revolving".

Amendment No. 4

On page 1, line 9, of said bill, strike out "emergency", and insert "revolving".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1566—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "rate of interest, or".

Amendment No. 2

On page 1, line 15, of said bill, strike out "the whole or any part of".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2863—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "four", and insert "three".

Amendment No. 2

On page 1, line 23, of said bill, strike out "for three years".

Amendment No. 3

On page 2 of said bill, strike out line 1, and insert "the city board of education, two to serve for three years, and one to serve for two years; at the second".

Amendment No. 4

On page 2, line 3, of said bill, strike out "one year", and insert "three years".

Amendment No. 5

On page 2, line 4, of said bill, strike out "four", and insert "three".

Amendment No. 6

On page 2, line 5, of said bill, strike out "second".

Amendment No. 7

On page 1 of said bill, beginning in line 8, strike out "comprising all or a part of the city", and insert "within which the city is located or with which the city is coterminous".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, after "programs", insert "and Classes".

Amendment No. 2

On page 1, line 8, of said bill, after "programs", insert "and classes".

Amendment No. 3

On page 1, line 15, of said bill, after "grams", insert "and classes".

Amendment No. 4

On page 2, line 1, of said bill, after "programs", insert "and classes".

Amendment No. 5

On page 2, line 6, of said bill, after "programs", insert "and classes".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out "3.4,".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6, and insert "for the purpose of financing the acquisition of imported or reclaimed water, or both, which acquisition the".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 19, inclusive, and insert "Water so acquired shall be conserved by the district in a manner beneficial to the zone. Expenditures for the purpose of conserving water so acquired may be made from funds derived from taxes levied pursuant to Section 14 of this act but such expenditures therefrom shall not exceed an amount equal to the amounts levied within the zone under the provisions of said Section 14. Such zone shall be accurately described and shall be designated by a zone number by said resolution, and shall include all territory which will be specially benefited by the conservation of the water so acquired and conserved

As used in Sections 3.1 to 3.6 of this act, the term "public district" shall not include metropolitan water districts, but shall include all other public districts; the term "imported water" shall mean water imported from a source which is not tributary to the ground water supply in the zone; and the term "reclaimed water" shall include water reclaimed from sewage or other wastes, but shall not include waters recaptured or re-used by the owners or producers thereof.

SEC. 2. Section 3.2 of said act is amended to read:

Sec. 3.2. *Prior to the hearing on the proposal to establish any zone, as hereinafter provided, the board of supervisors shall by resolution direct the chief engineer of the district to make and file a report with said board of supervisors which shall show:*

(1) A general description of the work to be done by the district in conserving water acquired.

(2) A general description of the lands, rights of way, easements and property to be taken, acquired or injured in carrying out such work.

(3) An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses and of all operating, maintenance and other costs likely to be incurred in connection therewith.

(4) The proposed boundaries of the zone. For the purposes of the notice of hearing, the proposed boundaries shall be described to include all properties which may be benefited by the proposed zone without regard to the current or proposed use of imported or reclaimed waters on said properties, other than as a result of the work proposed to be done by the district.

The report shall be considered by the board of supervisors which may by resolution either adopt the same as filed or refer the report back to the chief engineer of the district for modification or change. When a report satisfactory to said board of supervisors has been filed with such board as aforesaid, the board by resolution shall adopt the report and shall estimate the amounts of all capital expenditures and of all operating, maintenance and other costs necessary to conserve water within the proposed zone.

Before establishing any zone under Section 3.1 of this act, the board of supervisors shall hold a public hearing upon the proposal. Notice of the hearing shall be published once a week for two consecutive weeks, *the date of the second publication to be at least 30 days* prior to said hearing, in a newspaper of general circulation *published* within the proposed zone, if there be such newspaper, and if there be no such newspaper then by posting notice of the hearing [for two consecutive weeks] *at least 40 days* prior thereto in five public places, within said *proposed* zone, as designated by the board. *Notice shall be given to all cities and to all public districts formed for the purpose of supplying water within the proposed zone by mailing a copy of the notice to the chairman of the governing bodies thereof at least thirty days prior to said hearing.* Said notice shall describe the boundaries of the proposed zone, *shall state whether it is proposed to acquire imported or reclaimed water or both, shall refer to the report of the chief engineer as adopted by the board, shall* [and] contain a general statement of the [nature of the activity] proposed *method of conservation as described in said report, and shall set forth the amounts of all capital expenditures and of all operating, maintenance and other costs necessary to conserve water within such proposed zone as so estimated by the board.* [At the hearing, any person owning real property within the proposed zone may appear and protest the establishment of the zone or the proposed project or system.] *Said notice also shall contain a statement that written and oral protests against the formation of the zone or the inclusion of property therein will be considered at the time of the hearing, and that if sufficient written protests against the establishment of the zone are filed with the clerk of the board at least 15 days before the date set for the hearing, the proceeding shall be abandoned.*

If sufficient written protests against the establishment of the proposed zone are filed with the clerk of the board at least 15 days prior to the date set in the notice for the hearing, the proceedings shall be abandoned as hereinafter provided.

Written protests by property owners shall give the name and address of the protestant and shall describe the taxable real property within the proposed zone assessed to such protestant. The clerk shall transmit such protests, or a list of such properties showing the protestant as to each such property, to the assessor, who shall certify to the board of supervisors whether such properties assessed to such protestants, as shown by the last equalized county assessment roll, have an assessed value in excess of 10 percent of the assessed value of all of the taxable real property within the proposed zone. If the protest is in excess of the said 10 percent the proceedings shall be abandoned and no further proceeding relating to the creation of a zone affecting such property may be had for at least six months after the date set in the notice for the hearing.

Protests by cities and by public districts formed for the purpose of supplying water shall be in the form of certified copies of resolutions of their governing bodies. If protests are filed which have been adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water, within which cities or public districts or both, there is taxable real property situated within the proposed zone as described in the notice of hearing, having an assessed value equal to not less than 60 percent of the assessed value of all of the taxable real property within the proposed zone as described in said notice of hearing, as shown on the last equalized assessment roll, then the proceedings shall be abandoned and no further proceedings relating to the creation of a zone affecting such property may be had for at least six months after the date set in the notice of hearing.

If the proceedings are not terminated by the protests of property owners or by the protests of cities or of public districts formed for the purpose of supplying water, as above provided, the board of supervisors may proceed with the hearing and shall consider such protests and any additional written or oral protests which may be made either against the establishment of the proposed zone or the inclusion therein of any property, or both. The hearing may be continued from time to time but not to exceed 60 days in the aggregate Upon the conclusion of the hearing [,] the board may abandon the proposal [, or proceed therewith unless prior to the conclusion of the hearing a written

protest against the proposal, signed by a majority in number of the owners of real property within the proposed zone, be filed with the board, in which case no further proceedings relating to such proposal may be had for at least six months after the conclusion of the hearing.] *may adopt a resolution establishing the zone for the purpose specified in the notice, including therein all properties within the described boundaries of the proposed zone which the board finds will be specially benefited thereby.*

In determining the properties which will be specially benefited by inclusion in the proposed zone the board shall consider the availability to such properties, other than as a result of said work so proposed to be done by the district, of imported or reclaimed water and the present and contemplated use of such water, thereon.

A statement regarding the zone boundaries, or any change thereof, shall be filed as provided in Chapter 8, Part 1, Division 2, Title 5, of the Government Code

SEC. 3. Section 3.3 of said act is amended, to read:

Sec. 3.3. Whenever any zone is established pursuant to Section 3 1 of this act, a special tax may be levied *each year thereafter* by the board of supervisors upon the taxable real property within said zone to defray the cost of [any of the activities] *acquiring the water* for which the zone is established Said tax in any one fiscal year shall not exceed [two cents ($0.02)] *five cents ($0.05)* on each one hundred dollars ($100) of assessed valuation. It shall be in addition to any other taxes provided for by this act, and shall be levied and collected at the same time and in the same manner as such other taxes. All funds collected by reason of said tax shall be expended only on behalf of the zone and only for the purpose [s] *of acquiring water or for the purpose of conserving such acquired water, as* set forth in the notice of hearing upon the proposal to establish the zone.

Expenditures for the purpose [s] *of acquiring imported or reclaimed water, or both, as* set out in Section 3.1 [,] of this act, may be made *by the district* from funds derived from the special tax or taxes levied pursuant to this section [,] upon the taxable real property within such zone established under said Section 3.1, but not from any other funds. *No contract for the acquisition of imported or reclaimed water, or both, shall be entered into by the district which does not provide, that, unless sooner terminated, all obligations thereunder shall terminate at the end of any fiscal year during or at the end of which the zone within which the water is to be conserved, is terminated.*

SEC. 4. Section 3 5 is added to said act, to read:

Sec. 3.5. Any part of the land included within an established zone may be excluded therefrom by the board of supervisors if at a hearing on the matter it determines that the exclusion would be for the best interests of the zone, or that the land would no longer be specially benefited by its continued inclusion in the zone and that the land remaining in the zone would continue to be specially benefited by remaining as a zone. The board may order such hearing on its own motion and shall do so upon a petition for exclusion being filed with the clerk of the board, signed by the owners of ten per cent in assessed value of the real property within the area described in the petition or upon receipt by the clerk of a resolution requesting exclusion, adopted by the majority vote of the governing body of any city, or of any public district formed for the purpose of supplying water, all or any part of which is included in the zone. Petitions of property owners must contain a description of the property in which each signer claims ownership, sufficient to identify the same. The clerk shall transmit such petition to the assessor who shall certify to the board of supervisors whether such properties assessed to such petitioners, as shown on the last equalized assessment roll, have an assessed value of ten per cent or more of the assessed value of all taxable real property within the area sought to be excluded.

Notice of such hearing shall be given in the manner described in Section 3.2 and shall contain a description of the land sought to be excluded and a statement of the purpose of the hearing.

At the hearing, evidence may be presented concerning either or both of the elements to be determined by the board as a prerequisite to the exclusion of the land described. The hearing may be continued from time to time not to exceed sixty days in the aggregate. If the board so determines, it shall thereupon by resolution declare such land excluded from the zone.

SEC. 5 Section 3.6 is added to said act, to read:

Sec 3 6. Any zone established pursuant to Section 3 1 of this act may be terminated by the board of supervisors after a public hearing on the matter Such hearing may be ordered upon motion of the board, and shall be ordered upon a petition for termination being filed with the clerk of the board, signed by the owners of 10 percent of the taxable real property within the zone as ascertained by reference to the last equalized county assessment roll, or upon the filing with the clerk of a resolution requesting termination adopted by a majority vote of the governing body of any city, or of any public district formed for the purpose of supplying water, all or any part of which is included within the zone. The determination of the percentage of owners of real property signing the petition for termination shall be made and certified to by the assessor in the manner described in Section 3.5.

Notice of such hearing shall be given in the manner described in Section 3 2. The notice shall contain a description of the zone, a general statement of its activities, and the purpose of the hearing.

At the hearing, evidence may be presented concerning the necessity, or lack thereof, for continuing the zone. The hearing may be continued from time to time not to exceed 60 days in the aggregate. If the board determines that such necessity no longer exists, or that the public interest otherwise requires the termination of the zone, or that the real property is no longer benefited, the board shall thereupon by resolution declare the zone terminated for all purposes except those necessary to finance outstanding contracts. When such contracts have been satisfied the zone will terminate for all purposes, effective at the close of the then current fiscal year.

Such a zone shall terminate without hearing at the end of the third or fourth fiscal year during which taxes were, or could have been, levied for zone purposes if certified copies of resolutions requesting such termination are filed with the board of supervisors, as hereinafter provided, on or before 60 days prior to the date of the requested termination. Such resolutions shall be sufficient if adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water within which cities or public districts or both, there is taxable real property situated within the zone having an assessed value equal to not less than 35 percent of the assessed value of all of the taxable real property within the zone, as shown by the equalized assessment roll of such fiscal year.

If not sooner terminated, such zone shall terminate without hearing at the end of the fifth fiscal year during which taxes were, or could have been, levied for zone purposes. A new zone comprising or including all or any part of an original zone which has been terminated pursuant to the provisions of this section, shall not be established if protests are filed with the clerk of the board, at least fifteen (15) days prior to the date set for hearing thereon, which protests have been adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water, within which cities or public districts or both, there is taxable real property situated within the proposed zone as described in the notice of hearing, having an assessed value equal to not less than 35 percent of the assessed value of all of the taxable real property within the proposed zone as described in said notice of hearing, as shown on the last equalized assessment roll.

Any remaining funds of a terminated zone shall be added to the general funds of the district and shall be expended by the district for water conservation in a manner beneficial to the area within the terminated zone in addition to that normally performed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3098—An act to amend Sections 3.1, 3.2, and 3.3, and add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out "Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to", and insert "Section 17 of".

Amendment No. 2

In the title of said bill, strike out lines 3 and 4, and insert "Act, relating to the Los Angeles County Flood Control District."

Amendment No. 3

On page 1, line 1, of said bill, strike out "3.1", and insert "17".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"SEC. 17. Said board of supervisors of said district shall have full power and authority to cooperate with and to act in conjunction with the State of California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the Government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, or with any public or private corporation, in the construction, *operation and maintenance* of any work for the controlling of flood or storm waters of said district, or for the protection of property, or any of the harbors,

channels, waterways, roads or highways in said district, or for the purpose of conserving said waters *or waters imported from without the district or waters reclaimed from sewage or other wastes when such imported or reclaimed waters are furnished without cost to the district, including, but not limited to, surface and subsurface storage,* for beneficial use and to adopt a definite plan or system of work for such purpose, and when so adopted no substantial change affecting their interest shall thereafter be made in the same without the express consent of the officer, board, commission, department or agency of the state or federal government, or public or private corporation, in conjunction with which the same was originally adopted. *Expenditures for the purpose of conserving such imported or reclaimed waters may be made from funds derived from taxes levied pursuant to Section 14 of this act but such expenditures therefrom shall not exceed an amount equal to the amounts levied under the provision of said Section 14 within the area specially benefited by the conservation of such imported or reclaimed waters.*

Said board of supervisors of said district shall have full power and authority to contract with any municipality, irrigation district, or metropolitan water district, for the construction by such municipality, irrigation district, or metropolitan water district, at its own expense under plans approved by said flood control district, of works for the enlargement and increase of storage capacity of any reservoir, work, or structure used or to be used for the controlling and conservation of flood or storm waters of said flood control district, and to authorize by contract, or otherwise, the use by any such municipality, irrigation district or metropolitan water district of said enlarged and increased storage capacity or space thereby created, of such reservoir, work, or structure in excess of that now designed and approved for controlling and conserving the flood or storm waters, of said Los Angeles County Flood Control District, and for the storage and release of waters coming entirely from points outside of said flood control district; provided, however, such use of such enlarged and increased space or storage capacity shall at all times be subject to the use and control of said Los Angeles County Flood Control District for the controlling or conservation of such flood or storm waters by the said flood control district."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; on page 2, strike out lines 1 to 50, inclusive; on page 3, strike out lines 1 to 51, inclusive; on page 4, strike out lines 1 to 52, inclusive; on page 5, strike out lines 1 to 52, inclusive; on page 6, strike out lines 1 to 50, inclusive; and on page 7, strike out lines 1 to 36, inclusive."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5392, 6463, 6464 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to the Improvement Act of 1911 and public works and improvements thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 30, 1951, strike out "6463," and insert "5395, 6463, 8620, 8621, 8622, 8623, and 8650".

Amendment No. 2

In line 5 of the title of said bill, strike out "the Improvement Act of 1911 and".

Amendment No. 3

In line 6 of the title of said bill, strike out "thereunder".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 6 of said bill, between lines 14 and 15, insert

"SEC. 20.5. Section 5395 of said code is amended to read:

5395. After the filing of the contractor's written statement of payments, all amounts remaining due on any assessment shall draw interest at the rate of 1 percent per month until paid, the interest to be computed from the [date of the filing of the contractor's statement; provided, however, that when payments are made to the superintendent of streets pursuant to Section 5396 of this division said interest shall be computed from the] thirty-first day after the recordation of the warrant."

Amendment No. 5

On page 6 of said bill, after line 38, insert

"SEC. 22. Section 8620 of said code is amended to read:

8620 [All of the decisions and determinations of the legislative body upon the objections and matters submitted at the hearing, shall be final and conclusive upon all persons who were entitled to appear at the hearing.] *After confirmation of the assessment by the legislative body and after the return of the warrant attached thereto and after the filing of the statement of payments received upon the assessment by the contractor as provided by law pursuant to which the work was done, or after 30 days from the date of the first publication of the notice of recording the assessment, if the work was done under the Street Opening Act of 1903, the street superintendent shall make and file with the treasurer a complete list of all unpaid assessments, upon the assessment.*

SEC. 23. Section 8621 of said code is amended to read:

8621. [Upon the conclusion of the hearing the legislative body may remedy and correct any error or informality in the proceedings and revise and correct any of the acts or determinations previously had relating to the work, and it may thereupon determine the assessments which are unpaid and the aggregate amount of the same.] *The treasurer shall determine the assessments which are unpaid and the aggregate amount thereof.*

SEC. 24. Section 8622 of said code is amended to read:

8622. The [legislative body] *treasurer* shall prescribe the denominations of the bonds, which shall be in convenient amounts, not necessarily equal, and shall provide for their issuance.

SEC. 25. Section 8623 of said code is amended to read:

8623. The bonds shall be immediately delivered to the contractor *or his assigns* in satisfaction of the balance due him upon his assessment and warrant, or, if the work was done under the Street Opening Act of 1903, the bonds shall be sold to the highest cash bidder after advertising for bids. The advertisement for bids shall be published for at least three times in a daily newspaper published and circulated in the city, or if there is no such daily newspaper, then the advertisement shall be published once in a weekly or semiweekly newspaper so published and circulated. [The bonds shall not be sold for less than par.]

SEC. 26. Section 8650 of said code is amended to read:

8650. The bonds shall be issued in series and an even annual proportion of the aggregate principal sum thereof shall be payable on the second day of July every year succeeding the first 10 months after their date, until the whole is paid. The bonds shall bear interest at a rate not in excess of 6 percent per annum from [the date of filing the unpaid assessment list with the clerk, or from] 30 days after [the first publication of the notice of] recording the assessment[, if the work was done under the Street Opening Act of 1903], on all sums unpaid, until the whole of the principal sum and interest are paid. However, bonds issued in place of bonds issued prior to August 27, 1937, may bear interest at a rate not exceeding 8 percent per annum on all sums unpaid.

Interest shall be payable semiannually by coupon, on the second day of January and July, respectively, of each year. The first payment of interest shall not become due until six months before the maturity of the first series of bonds."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 867—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3577", and insert "16277".

Amendment No. 2

In line 2 of the title of said bill, strike out ", declaring the urgency thereof," and insert a period.

Amendment No. 3

Strike out line 3 of the title of said bill.

Amendment No. 4

On page 1, line 1, of said bill, strike out "3577", and insert "16277".

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 23, inclusive; and strike out page 2, and insert

"16277. As used in this section "school bus" means a school bus as defined in Section 16273, and also a motor vehicle which is regularly used for the transportation of pupils of private schools and which otherwise comes within the definition contained in Section 16273

Each school bus shall be equipped with a stop arm. The driver of the school bus shall raise the movable stop arm to a position at a right angle to the side of the bus whenever the bus stops to receive or discharge passengers. The stop arm shall meet all of the following requirements:

(a) The arm shall be fastened on the left side of the bus;

(b) The arm shall be at least two feet long;

(c) The sign at the end of the arm shall be octagon in shape and at least 14 inches at its greatest height and breadth;

(d) The word "stop" shall be printed on the sign in letters at least 10 inches high;

(e) The arm shall be controlled by a devise to be used by the driver."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2224—An act to add Sections 1306.1 and 1306.2 to the Education Code, relating to contracts of employment of superintendents of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1306.1 and 1306 2", and insert "1303.1, 1303 2, and 1303 3".

Amendment No. 2

In line 2 of the title of said bill, strike out "contracts of".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 1303 1 is added to the Education Code to read.

1303.1. The governing board of any school district, with the consent of the employee concerned, may at any time terminate, effective on the next succeeding first day of July, the term of employment of, and any contract of employment with, the superintendent of schools, or any associate, deputy, or assistant superintendent of schools of the district, and re-elect or re-employ the employee, on such terms and conditions as may be mutually agreed upon by the board and the employee, for a new term to commence on the effective date of the termination of the existing term of employment.

SEC. 2. Section 1303 2 is added to said code to read:

1303.2. In the event the governing board of a school district determines the superintendent of schools of the district is not to be re-elected or re-employed as such superintendent upon the expiration of his term, the superintendent of schools shall be

given written notice thereof by the governing board at least one year in advance of the expiration of his term. In the event the governing board of a district fails to re-elect or re-employ the superintendent of schools of the district as such superintendent and the written notice herein provided for has not been given, the superintendent of schools shall be deemed re-elected for a term of the same length as the one completed.

SEC. 3. Section 1303.3 is added to said code to read:

1303.3. Prior to the beginning of the fourth year of the first term of employment of a city superintendent of schools, the term of employment may by mutual consent become a continuing term of employment which may be terminated by the governing board at any time upon giving the superintendent written notice of at least one year of its intention to terminate his employment. The salary of a city superintendent of schools having a continuing term of employment may be changed at any time by mutual consent of the governing board and the city superintendent of schools. The governing board of a district employing a city superintendent of schools on a continuing term may with the consent of the superintendent terminate such continuing employment and elect the superintendent for a term of four years which shall have the effect of an initial employment of four years."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2493—An act to amend Section 3892 of the Education Code, relating to the Public School System of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "amend Section 3892 of", and insert "add Section 18061 to"; and in line 2 of the title, strike out "Public School System of the State of California", and insert "payment of construction contracts".

Amendment No. 2

On page 1 of said bill, strike out lines 1 through 5, inclusive, and insert

"SECTION 1. Section 18061 is added to the Education Code, to read:

18061. The governing board of any school district shall determine the method of payment for construction contracts, including progress payments for completed portions of the work or for materials delivered on the ground or stored subject to the control of the board and unused."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 3199—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 14479, 14632, and 14635", and insert "Section 14722".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "the State Teachers' Retirement System", and insert "District Retirement Systems".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 14722 of the Education Code is amended to read:

14722. The plan may provide that the retirement salary shall be a stipulated monthly sum, or that all benefits under the retirement feature of the plan shall be based upon the monthly salary for each year of future active service in the district earned by the employee up to the date of retirement and upon the average monthly salary earned by the teacher or other eligible employee during the year immediatly preceding the adoption of the plan and the number of years of past active service of the employee in the district, and subject to such provisions as are made in the plan for minimum benefits. No employee with less than 15 years' service in the district prior to normal retirement age shall receive the benefit of the minimum. [In no instance shall the retirement benefits be based upon or allowed for any amount of salary in excess of the sum of six thousand dollars ($6,000) per annum.]"

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 830—An act to amend Section 1303 of the Education Code, relating to terms of office of school superintendents and deputy and assistant superintendents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1302 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "terms of office of school superintendents", and insert "the employment of associate superintendents of schools and the terms of office of school superintendents, associate superintendents,".

Amendment No. 3

On page 1, line 1, of said bill, strike out "1303", and insert "1302".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"1302. In each city school district governed by a city board of education, the board may employ a city superintendent of schools and such *associate superintendents of schools, and* deputy or assistant city superintendents *of schools* as it deems necessary, and may fix and order paid their compensation, unless otherwise prescribed by law.

SEC. 2. Section 1303 of said code is amended to read:".

Amendment No. 5

On page 1, line 5, of said bill, after "schools", insert ", associate superintendent of schools,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2275—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 19, of the printed bill, after "county", insert "and to and from cities adjacent to such districts.

Article 2. Petition and Hearing

60510. Urban districts consisting of all or any part of the unincorporated territory of a county may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, if the district contains five hundred or more registered voters, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district, if the district contains less than 500 registered voters.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form: _____ (filling in the blank) Urban District of _____ (filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding ninety days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, if it is proposed to organize the district by a petition signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the

assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, if it is proposed to organize the district by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State

60533. The county in which an urban district is organized as herein provided shall pay from its general fund all fees required by the organization or dissolution of the district.

Article 4. Powers of District

60540. Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis.

Third: To contract, either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of such special services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter "special services" shall mean such services as are in addition to those which the county or special district is legally obligated to provide within the territory comprising the urban district or urban districts

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required.

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for the district.

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen.

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553. Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555. The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct.

60556. At the first election the ballot shall be in the following form.

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60558. Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of selectman for the term commencing on the following January 2nd. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen.

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

60563. The board of selectmen shall determine the special service needs of the district and the extent thereof for fire protection and prevention, police protection, public health protection, sewage and sanitation, garbage and waste disposal, street and highway lighting, parks and local recreational facilities, and libraries.

The board may, on behalf of the district, enter into contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district as it is authorized by law to furnish within its own territorial jurisdiction.

60564. In matters pertaining to zoning, roads and streets, flood control, building and alterations, permits, licenses, and other matters of local concern, the board of selectmen shall advise the board of supervisors as to the needs and desires of the district and, acting under such administrative authority as may be delegated to them by the board of supervisors, shall act as the representatives of the board of supervisors within the district.

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to be levied against all the taxable property within the district to provide for the expenses of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of the district) urban district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and when collected shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted it shall be the duty of the board of supervisors to require the immediate submission thereof. If the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that the budget be reduced to an amount and in the manner as directed by them.

60566. The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7. District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933"

Article 8. Changes In District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 10 percent of the registered voters residing in, or by the assessees of property representing at least 10 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district.

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by the assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing

60587 If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district, if the district contains five hundred or more registered voters; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district if the district contains less than 500 registered voters,

the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections, provided that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594 Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595. The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598 Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete.

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600 If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution. If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601 No territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2553—An act to add Section 4742.5 to the Health and Safety Code, relating to the powers of a county sanitation district, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 4742.5 to", and insert "amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4739.5, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "of a county sanitation district", and insert "and bonds of county sanitation and other sewer districts".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 4618 of the Health and Safety Code is amended to read:

4618. The maximum rate of interest to be paid on the bonded indebtedness shall be 6 percentum per annum, *and shall, after the first principal maturity, be* payable semiannually.

Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes. In such event the first interest coupons shall be for interest from the date of said bonds to the maturity date of said coupons.

SEC. 2. Section 4621 of said code is amended to read:

4621. All bonds issued under this chapter shall be issued in the name of the city in which the district has been formed, and shall be payable in the [following] manner[: A part to be] determined by the city governing body, [which part shall not be less than one-fortieth part of the whole amount of the indebtedness, shall be payable every year on a day and date, and] at a place within the United States, to be fixed by the governing body and designated in the bonds, together with the interest on all sums unpaid at that date, until the whole of the indebtedness has been paid.

SEC. 3. Section 4622 of said code is amended to read:

4622. The bonds shall be issued in such denominations as the governing body determines, except that no bonds shall be of a less denomination than one hundred dollars ($100) nor greater than one thousand dollars ($1,000). [The interest rate shall be specified in the bonds, and shall be payable semiannually.]

The bonds shall be signed by any officer of the city, designated for that purpose by the governing body by resolution adopted by a two-thirds vote of all of its members, and shall also be signed by the city treasurer and countersigned by the city clerk.

The coupons of the bonds shall be numbered consecutively and signed by the treasurer.

If any officer whose signature or countersignature appears on the bonds or coupons ceases to be an officer before the delivery of the bonds to the purchaser, his signature or countersignature is as valid and sufficient for all purposes, as if he had remained in office.

SEC. 4. Section 4624 is added to said code, to read:

4624. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 5. Section 4739.5 is added to said code, to read:

4739.5. It may sue and be sued.

SEC. 6. Section 4802 is added to said code, to read:

4802. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons.

SEC. 7. Section 4803 is added to said code, to read:

4803. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of

the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 8. Section 4988 of said code is amended to read:

4988. The bonds shall bear interest, as the governing body shall determine, at a rate not to exceed 6 percent per annum, *and shall, after the first principal maturity, be* payable semiannually by coupon.

SEC. 9. Section 4995 is added to said code, to read:

4995. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons.

SEC. 10. Section 4996 is added to said code, to read:

4996. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 11. Section 5565 is added to said code, to read:

5565. Any work recommended to be done in the report approved and adopted by the district board shall be done in conformity with the general plans and specifications contained in the report unless the district board, by a four-fifths vote, adopts a resolution declaring that the public interest requires a modification of or departure from the plans and specifications, which resolution shall contain a statement of the manner in which the modification is required or departure is to be made.

SEC. 12 Section 5581 of said code is amended to read:

5581. The resolution shall state all of the following:

(a) The general objects and purposes for which it is proposed to incur an indebtedness.

(b) A reference to the report filed with the district board for particulars.

(c) The type of bonds proposed to be issued, whether revenue bonds or general obligation bonds.

(d) The amount of the bonds proposed to be issued.

[(e) The part of the principal to be paid each year, which part shall not be less than the part specified in this chapter.]

(e) [(f)] The rate of interest or a maximum rate of interest to be paid, which rate shall not be more than the rate specified in this chapter, payable at the times specified in this chapter.

(f) [(g)] The date of the election.

(g) [(h)] The election precincts, polling places, and election officers.

SEC 13. Section 5588 of said code is amended to read:

5588. The district board shall prescribe by resolution the form of the bonds, and interest coupons. The bonds shall be payable substantially in the [following] manner [: A part to be] determined by the district board, [which shall not be less than one-fortieth part of the whole amount of the indebtedness, shall be payable each and every year on a day and date,] and at a place to be fixed by the board, and designated in the bonds, together with interest on all sums unpaid on that date until the whole of the indebtedness has been paid.

SEC. 14. Section 5602 is added to said code, to read:

5602. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons.

SEC 15. Section 5603 is added to said code, to read:

5603. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 16 Section 6655 is added to said code, to read:

6655. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons."

Amendment No. 4

On page 1, line 12, of said bill, strike out "2", and insert "17".

Amendment No. 5

On page 1 of said bill, strike out lines 17 to 28, inclusive, and insert

"The rapid growth of the population of the State during and since World War II has resulted in increased congestion of people in unincorporated areas which are wholly without adequate sewerage facilities. The State Board of Public Health has found it necessary to require the treatment of sewage before it is deposited in the streams and waters and in the Pacific Ocean. This has resulted in greatly increased numbers and activities of sanitary districts. In order to adequately provide and administer sanitation in such areas, and to cooperate with the State Board of Public Health in carrying out its orders, it is necessary that the laws of sanitary districts be more complete, comprehensive and adequate for such purposes. The provisions of this bill has as its purpose making such laws more comprehensive and it is necessary and urgent that the provisions thereof become law at once."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2573—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20045 of the Water", and insert "add Section 216 to the Revenue and Taxation".

Amendment No. 2

In line 2 of the title of said bill, strike out "certification of bond issues", and insert "tax assessments".

Amendment No. 3

On page 1, line 1, of said bill, strike out "20045 of the Water Code is amended", and insert "216 is added to the Revenue and Taxation Code, to read:

216. Water rights devoted to agricultural purposes shall not be assessed separately from the land upon which the water is used."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 17, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1914—An act to amend Section 1722 of the Welfare and Institutions Code, relating to the salary of members of the Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1722 of the Welfare and Institutions"; and strike out lines 2 and 3, and insert "add Section 1755.3 to the Welfare and Institutions Code, relating to the Youth Authority."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 1755.3 is added to the Welfare and Institutions Code to read:

1755.3. Whenever any person under the jurisdiction of the Youth Authority is in need of medical, surgical, or dental care, the Youth Authority may, upon the recommendation of the attending physician, authorize the performance of such necessary medical, surgical, or dental service."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2479—An act to amend Section 19538 of, and to add Sections 19538.1, 19538.2, and 19485.5 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "19538.2 and 19485.5", and insert "and 19538.2".

Amendment No. 2

On page 3 of said bill, strike out lines 18 to 31, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2727—An act to amend Sections 5, 14, 29, 34, and 35.3 and to repeal Sections 12 and 33 of the Community Redevelopment Act, relating to redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5, 14, 29, 34, and 35.3", and insert "2, 2.1, 5, 14, 29, 34, 35.3, and 45.7".

Amendment No. 2

In line 2 of the title of said bill, after "Act," insert "and to amend Sections 33003, 33004, 33013, 33047, 33048, 33267, 33500, and 33885 of, to repeal Section 33011 and Article 2 and renumber Articles 3, 4 and 5 of Chapter 3 of Part 1 of Division 24 of, and to add Section 33004.5 to, the Health and Safety Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, between lines 22 and 23, insert

"(i) To develop as a building site or sites any real property owned or acquired by it, and in this connection to cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, and public utilities of every kind to be constructed and installed

(j) To operate a rehousing bureau for the purpose of assisting site occupants in obtaining adequate temporary or permanent housing and to incur such expenses as are necessary in connection therewith.

(k) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be canceled.

(l) To obligate lessees or purchasers of property acquired in a redevelopment project: (1) to use such property for the purpose designated in the redevelopment plans; (2) to begin the redevelopment of the project area within a period of time which the agency fixes as reasonable; and (3) to comply with such other conditions as in the opinion of the redevelopment agency are necessary to carry out the purposes of this act. The agency, by provision in the contract, may make any of the purchaser's obligations, covenants or conditions running with the land, whose breach shall cause the fee to revert to the agency.

(m) To exercise all or any part or combination of the powers herein granted.

(n) Nothing herein contained shall authorize such redevelopment agency to construct or rehabilitate any of the buildings for residential, commercial, industrial, or other use contemplated by the redevelopment plan, and nothing contained in this act shall authorize such redevelopment agency to sell, lease, grant or donate public property to a housing authority or to any public agency for low-rent housing projects.

(o) The agency shall not acquire, without the consent of the owner, any real property on which buildings are located, where such buildings are to be continued on their present site and in their present form and use, unless such buildings require alterations, improvement, modernization, or rehabilitation under the redevelopment plan and the owner fails or refuses to agree to participate in the redevelopment plan as provided in Sections 47 and 72."

Amendment No. 4

On page 3 of said bill, strike out lines 33 to 38, inclusive, and insert "A project area to be designated in a redevelopment plan is to be selected as follows.

(a) Of its own motion or at the request of the agency or at the direction of the legislative body the planning commission shall select one or more project areas and formulate a preliminary plan for the redevelopment of such project area.

(b) The owners in fee of a majority in area of any proposed project area, excluding that portion thereof in public ownership or dedicated to a public use, may request the planning commission to select such a proposed project area as a project area, and to formulate a preliminary plan for the redevelopment of such project area

(c) Any person, groups, association or corporation, may in writing, request the planning commission to select a proposed project area as a project area and to formulate a preliminary plan for the redevelopment of such project area"

Amendment No. 5

On page 4 of said bill after line 21, insert

"SEC. 8. Section 2 of said act is amended to read:

Sec. 2. It is hereby found and declared that there exist in many communities in this State blighted areas which constitute either social or economic liabilities, or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of the communities in which they exist and of the people of this State generally. These blighted areas are characterized by one or more of the following conditions:

(a) The existence of buildings and structures, either used or intended to be used for living, commercial, industrial or other purposes, or any combination of such uses, which by reason of defective design and character of physical construction, faulty interior arrangement and exterior spacing, high density of population and overcrowding, inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses to which they are put, or any combination of such factors and characteristics, are unfit or unsafe to occupy for residential, commercial, industrial or other purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime.

(b) An economic dislocation, deterioration or disuse, as a result of faulty planning, the subdividing and the sale of lots of irregular form and shape and inadequate size for proper usefulness and development, the laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions, or the existence of inadequate streets, open spaces and utilities, or of lots or other areas which are subject to being submerged by water.

(c) A prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that there exists a reduced capacity to pay taxes and consequent inadequacy of tax receipts in relation to the cost of public services rendered.

(d) A growing and in some instances a total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare; and in other areas a loss of population and reduction of useful utilization of the area, resulting in the further deterioration thereof and in added costs to the taxpayer supporting governmental entities for the creation of new public facilities and services elsewhere.

It is further found and declared that the existence of blighted areas characterized by any or all of such conditions, separately or collectively, constitutes a serious and growing menace which is hereby condemned as injurious and inimical to the public health, safety and welfare of the people of the communities in which they exist and of the people of the State generally; that such areas present difficulties and handicaps which are beyond remedy and control solely by regulatory processes in the exercise of the police power; that they contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, crime prevention, correction, prosecution and punishment, the treatment of juvenile delinquency, the preservation of the public health and safety and the maintaining of adequate police, fire and accident protection and other public services and facilities; that this menace is becomingly increasingly direct and substantial in its significance and effect; that the benefits which will result from the remedying of these conditions and the redevelopment of these areas of blight will accrue to all the inhabitants and property owners of the communities in which they exist.

It is further found and declared that such conditions of blight tend to further obsolescence, deterioration and disuse because of the lack of incentive to the individual landowner and his inability to improve, modernize or rehabilitate his own particular property while the condition of the neighboring properties remains unchanged; that as a consequence the process of deterioration of a blighted area frequently can not be halted or corrected except by redeveloping the entire area, or substantial portions thereof; that such conditions of blight are chiefly found in areas which have been subdivided into small parcels, that in most instances the lands are held in divided and widely scattered ownerships, frequently under defective titles, that in many such instances the private assembly of the lands in blighted areas for purposes of redevelopment is so difficult and costly that it is uneconomic and as a practical matter impossible for individual owners independently or collectively to undertake to remedy such conditions because of lack of the legal power necessary for, and the excessive costs involved in, the private acquisition of the real property of the area; that the remedying of such conditions may require the public acquisition at fair prices of adequate areas, the clearance of the areas through demolition of existing obsolete, inadequate, unsafe and insanitary buildings and the redevelopment of the areas suffering from such conditions under proper supervision, with appropriate planning, and continuing land use and construction policies.

For these reasons it is hereby declared to be the policy of this State to protect and promote the sound development and redevelopment of blighted areas within this State and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all means appropriate for that purpose; that whenever the redevelopment of blighted areas can not be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes and to provide a means whereby the blighted areas within this State may be redeveloped or rehabilitated; that the redevelopment of such blighted areas and the provision for appropriate continuing land use and construction policies therein, constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of State concern in the interest of the health, safety and welfare of the people of the State generally and particularly of the people of the communities of the State in which such areas exist; [that it is in the public interest that work on such projects be commenced as soon as possible in order to create postwar employment;] and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared to be a matter of legislative determination.

SEC. 9. Section 2.1 of said act is amended to read:

Sec. 2.1. It is hereby found and declared that blighted areas [shall] *may* include housing areas constructed as *temporary government-owned* wartime housing

projects, and it is further found and declared that such areas [are] *may be* characterized by one or more of the conditions enumerated in Section 2 of this act.

SEC. 10. Section 45.7 of said act is amended to read:

SEC. 45.7. No property, real or personal, improved or unimproved, or any interest therein, acquired or constructed in whole or in part with moneys from the Redevelopment Revolving Fund shall be sold or leased [at a price or encumbered (whether by mortgage, deed of trust or otherwise)] for an amount less than its fair value for uses in accordance with the redevelopment plan *as determined by resolution or ordinance of the legislative body*. All moneys received by the agency from the sale, lease or encumbering of property acquired with moneys from the Redevelopment Revolving Fund in excess of the money required to replay the loans and interest thereon authorized by this act shall be redeposited in the fund. All other provisions of this act that relate to financing shall be subject to the provisions of this section. Nothing contained in this section shall authorize a redevelopment agency to construct any buildings, but such redevelopment agency shall be subject to the limitations imposed by the provisions of Section 29 of this act. If any property acquired in whole or in part from the Redevelopment Revolving Fund is to be sold or leased by the redevelopment agency, the sale or lease must first be approved by the legislative body. Such approval by the legislative body shall be by resolution adopted after public hearing Notice of the time and place of such hearing shall be published once in the official newspaper of the community at least one week prior to such time. Such resolution shall be adopted by a majority vote unless the legislative body shall have provided by ordinance for a two-thirds vote for such purpose.

SEC. 11. Section 33003 of the Health and Safety Code is amended to read:

33003. ["Redevelopment] *Project* area" means an area of a community which the [legislative body finds to be] *is* a blighted area whose redevelopment is necessary to effectuate the public purposes declared in this part.

SEC. 12. Section 33004 of said code is amended to read:

33004. A [redevelopment] *project* area need not be restricted to buildings, improvements, or lands which are detrimental or inimical to the public health, safety, or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area. A [redevelopment] *project* area may include lands, buildings, or improvements which are not detrimental to the public health, safety or welfare, but whose inclusion is found necessary for the effective redevelopment of the area of which they are a part.

SEC. 13. Section 33004.5 is hereby added to said code to read:

33004.5. A project area shall comprise either (1) at least one block bounded on all sides by public highways as shown on the official map of the community or (2) where no official map exists, an area of not less than 90,000 square feet, including any highways, streets, or alleys

SEC. 14. Section 33011 of said code is hereby repealed

SEC. 15. Section 33013 of said act is amended to read:

33013. "Redevelopment" means the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of all or part of a [redevelopment] *project* area, and the provision of such residential, commercial, industrial, public, or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them.

It does not exclude the continuance of existing buildings or uses whose demolition and rebuilding or change of use are not deemed essential to the redevelopment and rehabilitation of the area. It includes:

(a) The alteration, improvement, modernization, reconstruction, or rehabilitation, or any combination of these, of existing structures in a project area

(b) Provisions for open space types of use, such as streets and other public grounds and space around buildings, and public or private buildings, structures and improvements, and improvements of public or private recreation areas and other public grounds.

(c) The replanning or redesign or original development of undeveloped areas as to which either of the following conditions exist:

(1) The areas are stagnant or improperly utilized because of defective or inadequate street layout, faulty lot layout in relation to size, shape, accessibility, or usefulness, or for other causes.

(2) The areas require replanning and land assembly for reclamation or development in the interest of the general welfare because of widely scattered ownership, tax delinquency, or other reasons

SEC. 16. Section 33267 of said act is amended to read:

33267. Within the [redevelopment] *project* area or for purposes of redevelopment an agency may:

(a) Purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it.

(b) Acquire real property by eminent domain.

(c) Clear buildings, structures, or other improvements from any real property acquired.

(d) Sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage, deed of trust, or otherwise, or otherwise dispose of any real or personal property or any interest in property.

(e) Insure or provide for the insurance of any real or personal property or operations of the agency against risks or hazards.

(f) Rent, maintain, manage, operate, repair, and clear such real property.

SEC. 17. Article 2, Chapter 3, comprising Sections 33480, 33481, and 33482 of said code is hereby repealed.

SEC. 18. Section 33500 of said code is amended to read:

33500. [Of its own motion or at the request of the agency the planning commission may, or at the direction of the legislative body, or upon the written petition of the owners in fee of a majority in area of any redevelopment area, excluding publicly owned areas or areas dedicated to a public use, the planning commission shall, select one or more project areas comprising all or part of such redevelopment area, and formulate a preliminary plan for the redevelopment of such project area.] *A project area to be designated in a redevelopment plan is to be selected as follows:*

(a) Of its own motion or at the request of the agency or at the direction of the legislative body the planning commission shall select one or more project areas and formulate a preliminary plan for the redevelopment of such project area

(b) The owners in fee of a majority in area of any proposed project area, excluding that portion thereof in public ownership or dedicated to a public use, may request the planning commission to select such a proposed project area as a project area, and to formulate a preliminary plan for the redevelopment of such project area.

(c) Any person, group, association or corporation, may in writing, request the planning commission to select a proposed project area as a project area and to formulate a preliminary plan for the redevelopment of such project area.

SEC. 19. Section 33047 of said code is amended to read:

33047. For these reasons it is declared to be the policy of the State:

(a) To protect and promote the sound development and redevelopment of blighted areas and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all appropriate means.

(b) That whenever the redevelopment of blighted areas cannot be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance, and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes, and to provide a means by which blighted areas may be redeveloped or rehabilitated.

(c) That the redevelopment of blighted areas and the provision for appropriate continuing land use and construction policies in them constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of state concern in the interest of health, safety, and welfare of the people of the State and of the communities in which the areas exist.

[(d) That it is in the public interest that work on such projects be commenced as soon as possible in order to create postwar employment.]

[(e)] *(d)* That the necessity in the public interest for the provisions of this part is declared to be a matter of legislative determination.

SEC. 20. Section 33048 of said code is amended to read:

33048. It is found and declared that blighted areas *may* include housing areas constructed as *temporary government-owned* wartime housing projects, and that such areas *may be* [are] characterized by one or more of the conditions enumerated in Sections 33041 to 33044, inclusive.

SEC 21. Section 33885 of said code is amended to read:

33885. No real or personal property, or any interest therein, acquired or constructed in whole or in part with money from the Redevelopment Revolving Fund shall be sold or leased [at a price or encumbered by mortgage, deed of trust, or otherwise] for an amount less than its fair value for uses in accordance with the redevelopment plan *as determined by resolution or ordinance of the legislative body*.

SEC. 22. The heading of Article 3 of Chapter 3 of Division 24 of Part 1 of said code is amended to read:

Article [3] *2*. Selection of Project Area and Formulation of Preliminary Plans and Tentative Plans

SEC. 23. The heading of Article 4 of Chapter 3 of Division 24 of Part 1 of said code is amended to read:

Article [4] *3*. Hearing on Tentative Plans

SEC. 24. The heading of Article 5 of Chapter 3 of Division 24 of Part 1 of said code is amended to read:

Article [5] *4*. Adoption of Tentative Plan

SEC. 25. Sections 11 to 24, inclusive, of this act becomes operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951

Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 2, 2.1 and 45.7 of the Community Redevelopment Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2806—An act to amend Sections 3, 4, 5, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54, and 59 of, and to repeal Sections 20, 35, 36, 42, 53, 55, 56, and 57 of the Parking Law of 1949, relating to off-street parking.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5,".

Amendment No. 2

In line 3 of the title of said bill, after "54," insert "58,".

Amendment No. 3

In line 4 of the title of said bill, after "42," insert "47,".

Amendment No. 4

In line 5 of the title of said bill, strike out "of the", and insert "of, and to add Section 4.1 to, the".

Amendment No. 5

On page 2, line 24, of said bill, after the period, insert "The determination as to whether there is need for an authority to function may be made by the legislative body on its own motion or upon the filing of a petition signed by 100 residents of the city, asserting that there is need for an authority to function in such city and requesting that the legislative body so declare."

Amendment No. 6

On page 2, line 52, of said bill, strike out "legislative body", and insert "city".

Amendment No. 7

On page 3 of said bill, strike out lines 13 to 39, inclusive, and insert

"In lieu of the submission of such question the legislative body may from time to time so submit to such electors the proposition of the issuance, by the authority or the city, pursuant to this act, of revenue bonds in a specific amount, to finance a specific project or specific projects. If at any such election a majority of the voters voting upon the proposition vote in favor thereof, the power to issue revenue bonds as provided in this act shall be operative as to the bonds so specified, and the authority, or the city, as may have been so specified, may from time to time issue revenue bonds in accordance with the provisions of this act in an amount or amounts not exceeding the amount so specified for the project or projects so specified."

SEC. 3. Section 4.1 is added to said act to read:

Sec. 4.1. Cooperation of City Officers and Departments; Payments in Lieu of Taxation: In order that there may be no unnecessary duplication of effort or expense, the authority may provide for the furnishing of services by and the use of facilities of, any department, office or agency of the city in lieu of, or in conjunction with, the direct provision by the authority of services and the use of facilities through employment or purchase or other means. The furnishing of such services and the use of such facilities of any such department, office or agency shall be upon such terms and conditions as may be approved by the authority and the legislative body of the city, and subject to reimbursement of the appropriate funds of the city for the reasonable value thereof. The legislative body may, from time to time, by resolution, provide for the making by the authority to the city, annually, of a payment, the amount of which shall be determined in a manner provided by such legislative body, but which shall not exceed the amount the authority would be required to pay to the city in ad valorem taxes if it were a private entity owning the same property."

Amendment No. 8

On page 4, line 11, of said bill, strike out the semicolon; and strike out the balance of said line, and all of lines 12 to 15, inclusive, and insert a period.

Amendment No. 9

On page 4, line 39, of said bill, strike out "or"; strike out line 40; and in line 41, strike out "lative body shall be exofficio the members of the authority,".

Amendment No. 10

On page 4 of said bill, strike out line 45, and insert "to function provided for by Section 4 of this act; provided, however, that if such termination of any such suspension occurs within the term for which any member or members of the authority has or have been appointed, such member or members whose terms have not expired, shall ipso facto by such termination be restored to office as such member or members, and shall serve for the remainder of his or their unexpired term or terms, as if such suspension had not occurred."

Amendment No. 11

On page 6 of said bill, between lines 40 and 41, insert

"To fix, prescribe and collect fees, tolls, rentals and other charges in connection with the services and facilities furnished from any properties operated by such authority, and to fix, prescribe and collect rentals and other charges for properties operated by others as lessees for contractors with the authority, and also to fix and prescribe all fees, tolls, rentals and other charges to be collected by any lessee or operator of any properties under the control of the authority;".

Amendment No. 12

On page 7 of said bill, strike out lines 5 to 13, inclusive, and insert

"To lease for commercial purposes surplus space or space which it is not economic to use for parking purposes and, as an incident to the operation of any parking facility, to devote a portion of any such property to uses such as retail stores, bus terminal, gasoline service station, helicopter landing area, or any other commercial use, when in the judgment of the authority it is convenient or necessary to conduct or permit such use in order to utilize properly such land as a parking facility; provided, however, that such incidental use or uses must be secondary to the primary use as a parking facility, and in any event the portion of the land devoted to such incidental use or uses shall not exceed 25 percent of the surface area of such property; and if a building is erected on such property for the purpose of parking motor vehicles, then such incidental use or uses of such building shall not occupy more than 25 percent of the floor area; provided, further, that neither the authority nor the city may manage or operate surplus space devoted to commercial purposes other than parking of vehicles, but shall lease such space to private operators; and".

Amendment No. 13

On page 7 of said bill, strike out lines 49 and 50, and insert "parking capacity not less than three (3) times the parking capacity provided by the existing parking".

Amendment No. 14

On page 8, line 21, of said bill, strike out "if no bid"; and strike out lines 22 and 23, and insert "that if no bid which the authority finds to be reasonable and valid is received upon such original advertising, it need not readvertise. If no such bid is received upon such original advertising, or if the authority readvertises and no such bid is".

Amendment No. 15

On page 8 of said bill, strike out lines 29 to 31, inclusive, and insert

"SEC 11. Planning, Zoning and Building Laws. All parking facilities of an authority shall be sub-"

Amendment No. 16

On page 8, line 39, of said bill, after the period, strike out the balance of line 39; and strike out lines 40 to 51, inclusive; and on page 9 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 17

On page 9 of said bill, strike out line 22; and in line 23, strike out "name", and insert "The authority shall have power to borrow money to provide funds for any project and to issue in its name revenue bonds to evidence the indebtedness created by such borrowing."

Amendment No. 18

On page 9, line 25, of said bill, after "payable", insert a comma and "both as to principal and interest, and as to any premiums upon the redemption of any thereof,".

Amendment No. 19

On page 9 of said bill, strike out lines 40 to 48, inclusive, and insert "Federal Governments, or from any other source, in aid of such projects; (b) exclusively from the income and revenues of certain designated parking facilities whether or not they are financed in whole or in part with the proceeds of such bonds, and including income or revenue from any future extension or betterment of, or addition to, any such parking facilities thereafter to be established; (c) from its revenues generally; (d) from any contributions or other financial assistance from the city, the State or Federal Governments, or from any other source; (e) from parking meter revenues of the city which may be appropriated by the governing body of the city; or (f) from any combination of these sources. Any such bonds may be additionally secured by".

Amendment No. 20

On page 10 of said bill, between lines 5 and 6, insert

"Nothing in this act, nor in the specification, in the proceedings for the issuance of any bonds, of the sources of payment thereof, shall preclude

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof;

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose;

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a project on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds;

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the authority issuing the same, in any case where such purchasers or entity may have guaranteed such payment; or

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the authority may lawfully so apply."

Amendment No. 21

On page 10, line 11, of said bill, strike out "used", and insert "issued".

Amendment No. 22

On page 10 of said bill, strike out lines 27 and 28; and in line 29, strike out "bonds and coupons, and the", and insert "date or dates, maturities, interest rate or rates, interest payment dates, denominations and form of such bonds, and may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of bonds, and for the transfer and interchange of such bonds and for all other".

Amendment No. 23

On page 11, line 39, of said bill, after "revenues", insert "of".

Amendment No. 24

On page 12 of said bill, strike out line 3, and insert "or might otherwise impair or impede".

Amendment No. 25

On page 12 of said bill, strike out lines 10 to 21, inclusive, and insert "prescribe and collect, with respect to any or all properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, fees, tolls, rentals or other charges in connection with the services and facilities furnished from any such properties operated by it, and to fix and collect rentals or other charges for any such properties leased by it to others for operation, sufficient, with such".

Amendment No. 26

On page 12, line 30, of said bill, strike out the period, and insert a comma and "and all other charges payable out of any revenues charged with the payment of the bonds.

The authority may also provide for the making of a covenant requiring the fixing and prescribing by it and the collection by any lessee or operator of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection with the services and facilities furnished by such lessee or operator, sufficient to assure the payment by such lessee or operator to such authority of the rentals or other charges payable by such lessee or operator to such authority."

Amendment No. 27

On page 12, line 46, of said bill, after "bonds", strike out the comma.

Amendment No. 28

On page 12, line 48, of said bill, after "reserve", insert a comma and "sinking, or other special".

Amendment No. 29

On page 13, line 23, of said bill, strike out "as", and insert "or".

Amendment No. 30

On page 13, line 27, of said bill, after "insurance", insert a comma.

Amendment No. 31

On page 13, line 37, of said bill, strike out "events", and insert "event".

Amendment No. 32

On page 14 of said bill, strike out lines 2 to 5, inclusive, and insert "outstanding Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given Such provision shall specifically state the effect of such amendment, modification or waiver upon the rights of the holders of all".

Amendment No. 33

On page 14 of said bill, strike out lines 9 to 15, inclusive, and insert

"The provisions for such procedure may include an agreement that bonds held by the authority, the city, or by any other person or entity who or which the authority may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto."

Amendment No. 34

On page 14, line 19, of said bill, strike out "may", and insert "it may deem to".

Amendment No. 35

On page 14 of said bill, strike out lines 34 to 35, inclusive, and insert

"SEC. 34. Same. The authority may provide for the issuance of bonds in series, and for the division of any issue into two or more divisions, and may fix".

Amendment No. 36

On page 14, line 40, of said bill, strike out "be of", and insert "bear".

Amendment No. 37

On page 14, line 41, of said bill, strike out the comma, and insert a period; and strike out line 42.

Amendment No. 38

On page 14, line 46, of said bill, strike out "issue", and insert "issuance".

Amendment No. 39

On page 14, line 50, of said bill, after "premium", insert a comma and "if any,".

Amendment No. 40

On page 15, line 23, of said bill, strike out "remained in office", and insert "continued to hold their respective offices or positions".

Amendment No. 41

On page 15, line 51, of said bill, strike out the period, and insert a comma and "or for any other reasonably limited period."

Amendment No. 42

On page 16, line 6, of said bill, strike out "reserves or bonds", and insert "revenues or funds".

Amendment No. 43

On page 16, line 18, of said bill, strike out the period, and insert a semicolon and "provided, however, that, even if the alternative method provided for in Section 4 of this act of submitting to the electors the question of issuing bonds in a specific amount has been followed, without the submission of the question of adopting the revenue bond method of financing, no submission to the electors of the proposition of issuing refunding bonds shall be required as a prerequisite to the issuance of such refunding bonds; and that if the proposition of adopting the revenue bond method of financing has been submitted and carried, it shall be full authority for the issuance of refunding bonds."

Amendment No. 44

On page 16, line 48, of said bill, after "to", insert "22674, inclusive, and 22676 to".

Amendment No. 45

On page 16, line 50, of said bill, after "apply to", strike out "all".

Amendment No. 46

On page 16, line 51, of said bill, strike out the period, and insert a semicolon and "provided, however, that in so applying said provisions, all references to a district shall be understood as references to the authority; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby."

Amendment No. 47

On page 17 of said bill, strike out lines 34 to 36, inclusive, and insert

"Power and Duty to Perform Covenants. The authority shall have power, and it shall be its duty, fully and faithfully to keep and perform any covenant it may make pursuant to Section 23 of this act".

Amendment No. 48

On page 17 of said bill, strike out lines 39 to 41, inclusive, and insert "charges, and each and every other covenant it may make, or obligation it may assume, pursuant to any provision of this act, and it shall be the duty of each and every officer, representative and employee of the authority to do and perform each and every act necessary or appropriate for such keeping and performance by such authority of every such covenant and obligation."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 49

On page 18 of said bill, between lines 8 and 9, insert

"SEC. 44.1. Section 58 of said act is amended to read:

Sec. 58. Power [of Authority.] *to accept aid.* In addition to the powers conferred upon an authority by other provisions of this act, an authority is empowered to borrow money or accept financial or other assistance from the city, the Federal or State Governments for or in aid of any parking facility within its area of operation, and to such ends comply with any conditions attached thereto. *An authority may also accept financial or other assistance from any other source.*"

Amendment No. 50

On page 18, line 24 of said bill, after "42," insert "47,".

Amendment No. 51

On page 18 of said bill, after line 25, insert

"SEC. 47. Nothing in this act shall in anywise invalidate any step or proceeding whatsoever heretofore taken, or in process of being taken, under the Parking Law of 1949. Without limiting the generality of the foregoing provision nothing herein shall require any new election in the case of any city in which an election has been held pursuant to Section 4 of said Parking Law of 1949 on the question as to whether or not the legislative body, or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for in said law, and at such election a majority of the voters voting upon the proposition shall have voted in favor of such proposition."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3210—An act to amend the title, and Sections 2, 2.1, 21, 33, and 45.7, and to repeal Section 68 of the Community Redevelopment Act, and to amend Sections 33047, 33048, 33231, and 33885, and to repeal Sections 33480, 33481, 33738, 33739, and 33740 of the Health and Safety Code, relating to the redevelopment of blighted areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4, line 2, of the printed bill, strike out "are", and insert "may be".

Amendment No. 2

On page 4, line 39, of said bill, strike out "at a price".

Amendment No. 3

On page 4, line 42, of said bill, after "plan", insert "as determined by resolution or ordinance of the legislative body".

Amendment No. 4

On page 5, line 46, of said bill, strike out "are", and insert "may be".

Amendment No. 5

On page 6, line 8, of said bill, strike out "at a price".

Amendment No. 6

On page 6, line 10, of said bill, after "plan", insert "as determined by resolution or ordinance of the legislative body".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3213—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert

"19825. (a) The provisions of Part 1 of this division and of Chapter 1, Chapter 2 and Chapter 3 of Part 3 of this division relating to design, construction, reconstruction, movement, conversion or alteration of buildings shall not apply".

Amendment No. 2

On page 1, line 7, of said bill, after "having", insert "and enforcing".

Amendment No. 3

On page 1, line 8, of said bill, strike out "the", and insert "such".

Amendment No. 4

On page 1 of said bill, insert a semicolon at the end of line 8; and strike out line 9, and insert "provided, however, such provisions of Part 1 of this division, which are presently applicable to buildings erected prior to the adoption of a local ordinance, shall apply to such buildings.

(b) No provision of this chapter shall be construed to authorize a reduction in or exemption from the provisions of Chapters 3 and 4 of Part 1 of this division or a reduction in the maintenance, sanitation or occupancy provisions of Part 1 of this division.

(c) The provisions of this chapter shall be effective only in a city where the legislative body determines that an ordinance described in subdivision (a) of this section is in force and effect and so notifies the state department presently charged with enforcement of the provisions of this division if a state department be so charged."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1730—An act to amend the Flood Control Fund Act of 1946 (Chapter 142, Stats. First Extra Session 1946), as amended, by amending Sections 1, 3, 5 and 6 thereof, relating to state assistance on flood control projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert "An act to amend Sections 1, 3, 4 and 6 of the Flood Control Fund Act of 1946, relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 9, inclusive, and insert "State Water Resources Act of 1945, the Legislature finds a state interest in cooperating with public agencies of this State in the construction of projects designed in whole or in part for flood control and in assuming the cost of cooperation by the State with the United States in the construction of such projects to the extent provided in said act."

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 24, inclusive, and insert "The State Water Resources Act of 1945, necessary in connection with the construction of projects designed in whole or in part for flood control, adopted and authorized by the Congress and by the Legislature for state assistance, and also in connection with such projects".

Amendment No. 4

On page 2, line 3, of said bill, after the comma, strike out "and".

Amendment No. 5

On page 2 of said bill, strike out lines 6 to 14, inclusive, and insert "funds are made available for their construction; provided, that no allocation shall be made from the Flood Control Fund of 1946 for the acquisition of lands, easements, and rights of way for dams or reservoirs, nor for any construction costs, other than for projects for which funds have been appropriated by the Legislature, or as otherwise specifically provided by the Legislature."

Amendment No. 6

On page 2 of said bill, strike out lines 17 to 20, inclusive, and insert "any project designed in whole or in part for flood control adopted and authorized by the Congress requiring local cooperation for flood control purposes, or adopted and authorized by the Legislature for".

Amendment No. 7

On page 2 of said bill, strike out lines 27 and 28, and insert "or by other legislation, and in connection with any flood control project ap-".

Amendment No. 8

On page 2 of said bill, strike out line 41, and insert "cation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1731—An act to amend The State Water Resources Act of 1945 (Chapter 1514, Stats. 1945), as amended, by amending Sections 18 and 20 thereof, relating to state assistance on flood control projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill; and in line 3, strike out "18 and 20 thereof", and insert

"An act to amend Sections 18 and 20 of the State Water Resources Act of 1945".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "heretofore or hereafter".

Amendment No. 3

On page 1, line 9, of said bill, strike out "subdivision (d) of".

Amendment No. 4

On page 1, line 15, of said bill, after "the", insert "total estimated".

Amendment No. 5

On page 2, line 7, of said bill, strike out "heretofore".

Amendment No. 6

On page 2, line 9, of said bill, strike out "heretofore".

Amendment No. 7

On page 2, line 16, of said bill, strike out "heretofore".

Amendment No. 8

On page 2, line 22, of said bill, strike out "by subdivision (d) of", and insert "in".

Amendment No. 9

On page 2, line 27, of said bill, after the semicolon, insert "lands,".

Amendment No. 10

On page 2, line 29, of said bill, after "rectifications", insert ", including those necessary".

Amendment No. 11

On page 2, line 43, of said bill, after "project", insert "authorized and adopted by Congress".

Amendment No. 12

On page 2, line 51, of said bill, after "for", insert "flood control and for".

Amendment No. 13

On page 3 of said bill, strike out lines 5 to 17, inclusive, and insert

"Prior to recommending to the Legislature the approval for state assistance of any project, designed in whole or in part for flood control, adopted and authorized by Congress, and prior to the submission to the Legislature of an estimate of the total cost to the State therefor, and prior to recommending an appropriation by the State in aid of any such project approved for state assistance by the Legislature, the Water Resources Board shall obtain from the appropriate agency of the Federal Government an estimate of the total cost of such project and the cost and benefit ratio thereof, based upon then current construction costs and values, and shall submit the same to the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3145—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "deprive", and insert "result in any deprivation contrary to the provisions of Section 11460 or 11463 or of any provision of law extending the application of such sections to the construction or operation of the Central Valley Project by any agency of the State or Federal Government."

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2914—An act to amend Section 27281 of the Streets and Highways Code, relating to toll charges of highway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 27281 of the Streets and Highways Code, relating to toll charges of", and insert "Sections 27281 and 27300a of the Streets and Highways Code, relating to bridge and".

Amendment No. 2

On page 1, line 14, of said bill, before "principal", insert "entire".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 26, insert

"SEC. 2. Section 27300a of the Streets and Highways Code is amended to read:

27300a. The board shall in each fiscal year after the bonded indebtedness of the district has been retired set aside in separate funds out of the revenues of the works a sufficient sum to:

(a) *First*, pay the operating expenses of the district [.] *;*

(b) *Second*, provide for repairs and depreciation of the works [.] *; and*

(c) *Third*, pay any indebtedness or lien that may exist against the district or any of its property.

After the bonded indebtedness of the district has been retired, the revenues of the works are hereby pledged to the aforesaid purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2946—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert "When title to any land is acquired by the State pursuant to this act, the Department of Education shall deliver a copy of the instrument of conveyance thereof to the State Lands Commission."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 3113—An act to add Section 6855 to the Public Resources Code, relating to the preferential right to an oil and gas lease of the owner of lands that have been sold by the State with reservation to the State of the minerals and oil and gas in such lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "have the preferential right to"; and strike out lines 9 to 21, inclusive, and insert "be notified that bids are being accepted, and shall have the right to bid therefor. When the bids are opened, and if the commission does not reject the bids, the commission shall thereupon award the lease to the highest qualified bidder. If the owner of the surface rights has bid an amount at least equal to that of the highest qualified bidder, and if his bid otherwise qualifies, he shall be awarded the lease."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1567—An act to add Section 112.5 to the Education Code, relating to the teaching of trades and crafts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "in"; and strike out lines 5 and 6, and insert "which is primarily devoted to giving instruction in any trade or craft shall be subject to".

Amendment No. 2

On page 1, line 17, of said bill, after the period, insert "This section does not apply to schools to which Section 16624 applies or to instruction in or in connection with shorthand, typewriting, bookkeeping or other usual business subjects, or in the arts or sciences."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 409—An act to amend Section 29802 of the Government Code, relating to county warrants.

Bill read second time, and ordered to third reading.

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 92—An act to add Article 13 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory to high school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 319—An act to add Section 8275 to, and to amend Section 13521 of, the Education Code, relating to the teaching of Communism upon any property belonging to any agencies included in the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 901—An act to amend Section 11291 of the Education Code, relating to the distribution of textbooks published by the State Board of Education.

Bill read second time, and ordered to third reading.

Senate Bill No. 205—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Bill read second time, and ordered to third reading.

Senate Bill No. 312—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

Senate Bill No. 911—An act to add Section 16376 to the Government Code, relating to funds deposited in trust in the State Treasury for the California State Historical Association.

Bill read second time, and ordered to third reading.

Senate Bill No. 208—An act to add Section 6501.1 to and to amend Section 6502 of, the Public Resources Code, relating to the leasing of public lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 214—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Bill read second time, and ordered to third reading.

Senate Bill No. 1807—An act to amend Section 28126 of the Government Code, relating to public service in counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28126", and insert "28125".

Amendment No. 2

In line 2 of the title of said bill, strike out "twenty-sixth", and insert "twenty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28126", and insert "28125".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 28, inclusive; and strike out page 2, and insert

"28125. In a county of the twenty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, five thousand dollars ($5,000) a year.

(b) The district attorney, five thousand dollars ($5,000) a year.

(c) The chairman of the board of supervisors, two hundred *fifty* dollars [($200)] ($250) a month, and each other supervisor, [one hundred fifty dollars ($150)] *two hundred dollars ($200)* a month Each supervisor shall also be furnished with necessary transportation while engaged in the business of the county. Whenever it is necessary for any supervisor to leave the county for the purpose of performing any of his duties, he shall be allowed his actual expenses. While acting as road commissioners, supervisors shall give their personal attention to the repair, maintenance, construction, and improvement of all roads under their supervision.

(d) Grand jurors and trial jurors in the superior court shall receive three *dollars ($3) for each day's attendance, and ten cents ($0.10) for each mile actually* and necessarily traveled from their residence to the county seat, in going only, to be allowed but once during each session the jurors are required to attend.

Any officer entitled to receive mileage for distances traveled by him in the discharge of his official duties shall receive mileage at the rate of five cents ($0.05) in a mile traveled.

The salaries and fees provided in this section are in full compensation for all services of every kind and description rendered by the officers named, either as officers or ex officio officers, their deputies and assistants. All fees, commissions, per diem, and expenses provided for by law, and all other money coming into the hands of the officers mentioned, no matter from what source derived or received, shall be the property of the county, and shall be paid into the county treasury by such officers at the same time and in the same manner that other money is required by law to be paid into the county treasury, except, that the district attorney is expressly exempted from this provision, and shall receive the salaries, fees, and commissions, provided by law.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 204—An act to amend Section 6813 of the Public Resources Code, relating to agreements with adverse claimants of oil and gas lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Senate on April 9, 1951, strike out "and the Attorney General".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 12, 1951, strike out the first "and", and insert a comma.

Amendment No. 2

On page 1, line 5, of said bill, strike out the second "and", and insert "or".

Amendment No. 3

On page 1 of said bill, strike out line 6; and in line 7, strike out "which the city is situated".

Amendment No. 4

On page 1, line 9, of said bill, after the period, insert "City-owned land located in the county within which the city is situated and regularly established city-owned camps having sanitary facilities are not subject to the provisions of this section."

Amendments read, and adopted.

Consideration of Further Amendments
Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on April 12, 1951, after "fee", insert "from each camper".

Amendment No. 2

On page 1, line 9, of said bill, strike out "tax", and insert "fee".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 213—An act to add Section 6358 to the Public Resources Code, relating to the surveys of state lands granted by the Legislature.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6358", and insert "Sections 6308 and 6358".

Amendment No. 2

In line 2 of the title of said bill, strike out "the surveys of".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6308 is added to the Public Resources Code, to read:

6308. Whenever an action or proceeding is commenced against a county, city, or other political subdivision or agency of the State involving the title to or the boundaries of tidelands or submerged lands that have been or may hereafter be granted to it in trust by the Legislature, the State of California shall be joined as a necessary party defendant in such action or proceeding. Service of summons shall be made upon the chairman of the State Lands Commission and upon the Attorney General, and the Attorney General shall represent the State in all such actions or proceedings. If judgment is given against the State in any such action or proceeding, no costs can be recovered from the State thereunder.

SEC. 2. Section 6358 is added to said".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1680—An act to amend Sections 9351, 9351.3, 9353.6, 9359.1, and 9359.8 of, and to add Section 9355.45 to, the Government Code, relating to the Legislators' Retirement System, and providing for the inclusion of officers of the Senate and of the Assembly therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 24, 1951, after "Section", insert "9351.5 and".

Amendment No. 2

In lines 4 and 5 of the title of said bill, strike out "officers of the Senate and of the Assembly", and insert "legislative officers and employees".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "an officer of the Senate or Assembly who is elected by vote of the members", and insert "a legislative officer or employee".

Amendment No. 4

On page 1, lines 12 and 13, of said bill, strike out "or an officer of the Senate or Assembly who is elected by vote of the members".

Amendment No. 5

On page 1 of said bill, between lines 13 and 14, insert

"SEC. 3. Section 9351.5 is added to said code, to read:

9351.5. "Legislative officer or employee" means an officer of the Senate or Assembly who is elected by vote of the members, any officer other than the Chaplains selected by vote of the Members of the Senate and of the Assembly, or any person employed to render full time service by either or both houses of the Legislature, or by any committee of either house, or by any joint legislative committee, who has been so employed continuously for at least two years."

Amendment No. 6

On page 1, line 14, of said bill, strike out the first "3", and insert "4".

Amendment No. 7

On page 1, line 17, of said bill, strike out "officer", and insert "legislative officer or employee".

Amendment No. 8

On page 1, line 19, of said bill, strike out "officer", and insert "legislative officer or employee".

Amendment No. 9

On page 2, line 2, of said bill, strike out "officer", and insert "legislative officer or employee".

Amendment No. 10

On page 2, line 6, of said bill, strike out the first "4", and insert "5".

Amendment No. 11

On page 2, lines 7 and 8, of said bill, strike out "officer of the Senate or Assembly who is elected by vote of the members and who is in office", and insert "legislative officer or employee holding a position as such".

Amendment No. 12

On page 2, line 10, of said bill, after "date", insert "of this section".

Amendment No. 13

On page 2, line 11, of said bill, strike out "officer elected", and insert "legislative officer or employee appointed or elected".

Amendment No. 14

On page 2, lines 13 and 14, of said bill, strike out "election by vote of the Members of the Senate or Assembly", and insert "appointment or election".

Amendment No. 15

On page 2, line 17, of said bill, strike out the first "5", and insert "6".

Amendment No. 16

On page 2, lines 27 and 28, of said bill, strike out "an officer of the Senate or Assembly elected by vote of the members", and insert "a legislative officer or employee".

Amendment No. 17

On page 2, lines 33 and 34, of said bill, strike out "officers of the Senate or Assembly elected by vote of the members", and insert "legislative officers and employees".

Amendment No. 18

On page 2, line 36, of said bill, strike out "officer holding the legislative office", and insert "person holding the legislative office or employment".

Amendment No. 19

On page 2, lines 41 and 42, of said bill, strike out "officers of the Senate or Assembly elected by vote of the members", and insert "legislative officers and employees".

Amendment No. 20

On page 2, line 46, of said bill, strike out "6", and insert "7".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that he had admonished all committee chairmen to have proposed amendments checked for errors by the office of the Legislative Counsel, as all too many amendments are being presented over the desk which are not properly prepared; and that such errors cause the desk force and the printer additional work.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO CORRECT AMENDMENTS

Mr. Beck asked for, and was granted, unanimous consent that the Chief Clerk be authorized from this date to the end of the 1951 Session,

to correct amendments to bills to comply with accepted legislative form, and to make such corrections as may be necessary, but in no way to change the text or substance or meaning of any amendment or bill.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 627—An act to amend Sections 3102, 3104, and 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 627?

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in the Assembly on March 28, 1951, after "city", insert "or county".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 627 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—George D. Collins, Condon, Elliott, and Henderson—4.

Assembly Bill No. 627 ordered enrolled.

Assembly Bill No. 900—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 900?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "10206", and insert "10211".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "10206", and insert "10211".

Amendment No. 3

On page 1, line 3, of said bill, as amended, strike out "10206", and insert "10211".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 900 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 900 ordered enrolled.

Assembly Bill No. 1504—An act to add Chapter 2.5 consisting of Sections 5300 to 5302 to Part 1 of Division 6 of and to add Sections 5250.5 and 5250.6 to the Welfare and Institutions Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene.

The question being: Shall the Asesmbly concur in the following Senate amendments to Assembly Bill No. 1504?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 6, 1951, strike out "5302", and insert "5303".

Amendment No. 2

On page 2 of said bill, as amended, between lines 2 and 3, insert

"5303. No person who is being treated by prayer or spiritual means in the practice of the religion of any well-recognized church, sect, denomination, or organization, shall be ordered detained or committed under the provisions of this chapter unless the court shall determine that he is or would likely become dangerous to himself or to the person or property of others, or unless, being an adult, he shall consent to such detention or commitment, or, being a minor, his parents or guardian having custody of his person shall consent thereto."

Amendment No. 3

In line 2 of the title of the printed bill, as amended in the Senate on April 23, 1951, strike out "Sections", and insert "Section"; and in line 3 of the title, strike out "and 5250.6".

Amendment No. 4

On page 2, line 8 of said bill, as amended, after "chapter", insert "or under Chapter 2 of this Part".

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 17 to 26, inclusive.

Amendment No. 6

On page 1, lines 7 and 8, of said bill, as amended, strike out "or admitted".

Amendment No. 7

On page 1, lines 11 and 12, of said bill, as amended, strike out "or admitted".

Amendment No. 8

On page 1, line 17, of said bill, as amended, strike out "or admitted".

Amendment No. 9

On page 2, line 1, of said bill, as amended, strike out "or admitted".

The roll was called, and the Asesmbly concurred in Senate amendments to Assembly Bill No. 1504 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1504 ordered enrolled.

Assembly Bill No. 1532—An act to amend Section 5701 of and to add Section 5701.3 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1532?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 6, 1951, after "5701.3", insert "and Section 5701.4".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 15 to 20, inclusive.

Amendment No. 3

On page 2 of said bill, as amended, after line 37, insert

"SEC. 3. Section 5701.4 is added to said code, to read:

5701.4. The provisions of this chapter do not apply to any private institution conducted by and for persons who adhere to the faith of any well recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who rely upon prayer or spiritual means for healing in the practice of the religion of such church or denomination."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1532 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1532 ordered enrolled.

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1616?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 17, 1951, strike out "detention home", and insert "juvenile hall".

Amendment No. 2

On page 2, line 8, of said bill, as amended, strike out "detention home", and insert "juvenile hall".

Amendment No. 3

On page 2, lines 19 and 20, of said bill, as amended, strike out "detention home", and insert "juvenile hall".

Amendment No. 4

On page 2, line 24, of said bill, as amended, strike out "detention home", and insert "juvenile hall".

Amendment No. 5

On page 2, line 11, of said bill, as amended, strike out the period, and insert "; and provided further, that such probation committee, with the approval of said judge, may direct the probation officer to administer, subject to the supervision and direction of the probation committee, without extra compensation therefor, the management and control of the internal affairs of the juvenile hall."

Amendment No. 6

On page 2, line 38, of said bill, as amended, after "counties", insert "except counties".

Amendment No. 7

On page 2, line 42, of said bill, as amended, after "juvenile hall", insert "or branch juvenile hall".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1616 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood,

Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1616 ordered enrolled.

Assembly Bill No. 1641—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1641?

Amendment No. 1

On page 1, line 3, of the printed bill, after "17.", strike out "Sessions."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1641 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1641 ordered enrolled.

Assembly Bill No. 1977—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1977?

Amendment No. 1

On page 1, line 8, of the printed bill, after "elected", insert "until it shall again elect the use of its own tax roll".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1977 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1977 ordered enrolled.

Assembly Bill No. 2417—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2417?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "5th", and insert "10th".

Amendment No. 2

On page 1, line 7, of said bill, as amended, strike out "5th", and insert "10th".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2417 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2417 ordered enrolled.

Assembly Bill No. 2794—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2794?

Amendment No. 1

On page 1, line 7, of the printed bill, after the first word "and", insert "with the approval of the Department of Finance may".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2794 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 2794 ordered enrolled.

Assembly Bill No. 2842—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax delinquent property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2842?

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "Government", and insert "Revenue and Taxation".

Amendment No. 2

On page 1, line 13, of said bill, strike out "Government", and insert "Revenue and Taxation".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2842 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 2842 ordered enrolled.

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2857?

Amendment No. 1

On page 1, in the title of the printed bill, strike out "and to add Section 54479 to,".

Amendment No. 2

On page 1, line 8, of said bill, after "both", insert ", except irrigation districts".

Amendment No. 3

On page 1 of said bill, strike out lines 22 to 27, inclusive.

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on April 26, 1951, after the comma, insert "and to add Section 54388 to,".

Amendment No. 5

On page 1 of said bill, as amended, after line 22, insert

"SEC. 3. Section 54388 is added to said code, to read:

54388 Before selling the bonds, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the legislative body determine that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2857 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2857 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hollibaugh to reconsider the vote whereby Senate Bill No. 1610 was refused passage was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Thomas to reconsider the vote whereby Assembly Bill No. 188 was passed was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Collier to reconsider the vote whereby Senate Constitutional Amendment No. 3 was refused adoption was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred: Senate Bill No. 3314

Respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

LEVERING, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 3307 Assembly Bill No. 3311
Assembly Bill No. 3310 Assembly Bill No. 3312

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

LEVERING, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2142

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2142, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2142—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6607, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2142?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "the employment of any inmate in making".

Amendment No. 2

On page 1, line 8, of said bill, as amended, strike out "repairs", and insert "repairing".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2142 by the following vote:

AYES—Babbage, Beck Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2142 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 16 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5302, 5309, 5310, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5909, 5910, and 5952 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5907, 5908, and 5950 of said code and add new Sections 5313, 5314, 5906, 5907, 5908, and 5950 to said code, to repeal Section 5315 of said code, and to amend the titles of Division 4, Part 4, Chapter 7 and Division 4 Part 4, Chapter 7, Article 1 of said code, all relating to workmen's compensation.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 585
Assembly Bill No. 1069
Assembly Bill No. 1074

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 53

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

DOYLE, Vice Chairman

Above reported resolutions ordered engrossed.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 279
Senate Bill No. 1744

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1241

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

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 986
Assembly Bill No. 1970

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

LUCKEL, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 599—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 877 Hold Place on File

Mr. Waters asked for, and was granted, unanimous consent that Assembly Bill No. 877 be passed on file, and hold its place on file on the next legislative day.

MEMBER EXCUSED

At 10 38 a.m., Mr. Hansen, asked for, and was granted, unanimous consent that Mr. Grunsky be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1005 Hold Place on File

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 1005 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3342 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3342 be passed on file, and hold its place on file on the next legislative day.

Speaker Pro Tempore Presiding

At 10.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2217

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

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2931

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

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 389

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

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 682

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 759
Assembly Bill No. 1568
Assembly Bill No. 3060

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

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1912
Assembly Bill No. 2800
Assembly Bill No. 3024

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 880

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

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2907

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

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 386

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

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 410
Senate Bill No. 411
Senate Bill No. 1685
Senate Bill No. 1686

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

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 272

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

HOLLIBAUGH, Chairman

Above reported bill ordered re-referred to the Committee on Finance and Insurance.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 130

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

DOYLE, Vice Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 29

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

DOYLE, Vice Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3075—An act to add Section 7610 to the Elections Code, relating to canvass of votes for judicial offices.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Clarke, Sam L. Collins, Dickey, Hinckley, Hollibaugh, Lindsay, Tomlinson—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3421—An act making an appropriation for expenses of Members of the Assembly to take effect immediately.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, and Waters—65

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Ernest R. Geddes Presiding

At 11.05 a.m., Hon. Ernest R. Geddes, Member of the Assembly from the Forty-ninth District, presiding.

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 2096 ordered passed on file.

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, 1300.18, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 585 ordered passed on file, and to hold its place on file on the next legislative day, by unanimous consent.

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964.1, 7970.5, 7971.5, and 7972.5 to the Elections Code, relating to elections.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Thomas—67.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2840 Hold Place on File

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No 2840 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 55—Relative to approving certain amendments to the charter of the City of Fresno, in the County

of Fresno, State of California, voted for and ratified by the electors of said city at a special election held therein on the ninth day of April, 1951.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Tomlinson—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2529—An act to amend Section 11 and to add Section 11.1 to the County Water Authority Act. Chapter 545, Statutes of 1943 as amended, relating to county water authorities.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1145

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1145, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1145

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, 26621, and to add Sections 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3116—An act to add Section 25464 to the Government Code, relating to payments on county construction contracts.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 818

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 818, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 818

Assembly Bill No. 818—An act to amend Section 637.5 of the Agricultural Code, relating to milk products.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1077 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1077 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3116

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 3116, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3116

Assembly Bill No. 3116—An act to add Section 25464 to the Government Code, relating to payments on county construction contracts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3075

At 11.30 a.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3075 passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dolwig, Doyle, Dunn, Erwin, Geddes, Grant, Gubser, Hagen, Hansen, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—42.

NOES—Beck, Burkhalter, Coats, George D. Collins, Condon, Cooke, Dills, Elliott, Evans, Fleury, Gaffney, Hahn, Hawkins, Henderson, Hollibaugh, Lowrey, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, and Rosenthal—24.

Notice of Motion to Reconsider Assembly Bill No. 3075

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3075 was this day passed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 1540 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 1540 be passed on file, and hold its place on file on the next legislative day.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 7 of Article IV, relating to the powers of each house of the Legislature in respect to its members.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3407 Hold Place on File

Mr. Hahn asked for, and was granted, unanimous consent that Assembly Bill No. 3407 be passed on file, and hold its place on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 2096

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 340

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 1145
Assembly Bill No. 2706
Assembly Bill No. 2840

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 818
Assembly Bill No. 1999

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1461

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

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 35

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

DICKEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 417—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—Henderson and Silliman—2.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 676:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 3, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 676, "An act to amend Sections 9765, 9769, and 9770 of the Business and Professions Code, relating to cemeteries,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The funds which would be made available by Section 9 of this bill are necessary to provide for the continued operation of the Cemetery Board during the balance of the present fiscal year.

I therefore recommend consideration of Senate Bill No. 676 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Senate Bill No. 676—An act to amend Sections 9765, 9769, and 9770 of the Business and Professions Code, relating to cemeteries.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Motion to Amend Title

Mr. Caldecott moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "cemeteries", insert "and making an appropriation, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2095

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2095, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2095

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2097

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2097, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2097

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2096

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2096, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2096

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3364 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Gaffney asked for unanimous consent that Assembly Bill No. 3364 be withdrawn from the Committee on Public Health for purpose of amendment, and be re-referred to the Committee on Public Health.

Mr. Kirkwood withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1429—An act to amend Section 395 of and to add Sections 389, 395.01, 395.02, 395.03, 395 04, 395.05, and 395.06 to the Military and Veterans Code, relating to the absence of public officers and employees engaged in ordered military or naval duty, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle; Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay,

Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1059—An act to add Sections 483.1, 483.2, and 483.3 to the Civil Code, relating to first-aid kits on trains.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 740

Mr. Parker asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 740, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 740

Senate Bill No. 740—An act to add Section 18652 to the Business and Professions Code, relating to boxing and wrestling.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Concurrent Resolution No. 56

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 56, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 56

Assembly Concurrent Resolution No. 56—Relative to extending condolences on the death of Lotus H. Loudon.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 45

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 45, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 45

Senate Concurrent Resolution No. 45—Relative to flood control measures on the San Joaquin River System.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Waters, and Mr Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 28

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 28, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 28

Senate Joint Resolution No. 28—Relative to flood control measures on the San Joaquin River System.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 2456
Assembly Bill No. 2665
Assembly Bill No 3416

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1252—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 46

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 46, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 46

Senate Concurrent Resolution No. 46—Relative to the Merced County Stream Group Project.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 357—An act to add Section 15256 to the Health and Safety Code, relating to housing.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 623—An act to amend Sections 9530 and 9590 of, and add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners and to the enforcement of cleaning, dyeing and pressing regulations.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—65.

NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 806—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and ordered passed on file, and to hold its place on file on the next legislative day, by unanimous consent.

Senate Bill No. 805—An act to amend Section 7303 of the Business and Professions Code, relating to the State Board of Cosmetology.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 974

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 974, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 974

Senate Bill No. 974—An act to amend Section 7300 of the Health and Safety Code, relating to embalming.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stewart, Thomas, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.20 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 21

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 21, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 21

Senate Joint Resolution No. 21—Relative to memorializing Congress to appropriate money for the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 129

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 129, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 129

Senate Bill No. 129—An act to add Section 212 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, in respect to standards for public medical institutions.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 19

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 19, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 19

Senate Joint Resolution No. 19—Relative to federal support for vocational training.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 57: By Messrs. Maloney, Sam L. Collins, Gaffney, Meyers, Brady, Berry, Caldecott, George D. Collins, Connolly, Dolwig, Levering, McCarthy, McGee, Stewart, Thomas, and Waters—Relative to congratulating the University of San Francisco for establistment of a compulsory course in the evils of Communism.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 2763

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, Beck, Geddes, Munnell, and Hawkins:

House Resolution No. 135—Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 135, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 135 as Co-authors

Mr. Hahn asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 135 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 135:

By Messrs. Rosenthal, Geddes, Beck, Munnell, Hawkins, Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Waters:

House Resolution No. 135

Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo

Cinco de Mayo has been a date revered in Mexico since that day in 1862 when Ignacio Zarogoza and his men, greatly outnumbered, defeated the French in the Battle of Guadalupe, near Puebla, to set a valiant example for the people of Mexico through the hard struggle which was to follow, that the flaming love for freedom in the hearts of the people should never dim, nor courage falter, until the spirit that won the Battle of Guadalupe should emerge eternally triumphant in the establishment of national independence and freedom

As the people of Mexico celebrate the national holiday of Cinco de Mayo, the people of the State of California join in spirit with our good friends and nearest neighbors in homage to the courage and love of freedom of those who fought the battles against foreign domination and whose vigilance and wisdom guarded and guided the infant nation so well that today Mexico shares with the rest of this hemisphere a common heritage of freedom and independence, and speaks with a firm voice in world councils for the maintenance of freedom and peace for all the peoples of the earth; now, therefore, be it.

Resolved by the Assembly of the State of California, That the Members of this Assembly, on behalf of the people of the State of California, extend to the people of Mexico felicitous greetings upon the occasion of the celebration of their great national holiday, Cinco de Mayo, conveying to them expressions of warm friendship and good will; and be it further

Resolved, That the Chief Clerk of the Assembly send a suitably engrossed copy of this resolution to His Excellency, the President of the Republic of Mexico.

Resolution read, and adopted unanimously.

MOTION TO PRINT SPANISH TRANSLATION OF HOUSE RESOLUTION NO. 135

Mr. Shaw moved that House Resolution No. 135 be translated into Spanish, and that 1,000 copies be printed as a separate document.

Mr. Rosenthal seconded the motion.

Substitute Motion

Mr. Waters moved that the remarks by Mr. Geddes relative to House Resolution No. 135 be ordered printed in the Journal, in 10 point type.

Mr. Doyle seconded the motion.

Substitute motion carried.

REMARKS BY MR. GEDDES RELATIVE TO HOUSE RESOLUTION NO. 135

Mr. Speaker and Members: Joining with Mr. Rosenthal in presenting this resolution in observance of the Cinco De Mayo, I do so because of an obligation which I feel that I should discharge at every opportunity to show my gratitude to the people of our sister Republic for the manifold kindnesses and courtesies which they have extended me during the years that I lived in the Republic of Mexico. For 16 years as a boy and afterwards for two years as a grown man I learned that our Mexican brothers are people unfailing in their courtesy and understanding. There are those perhaps who may regard Mexico as a backward nation but I declare to you that it is not so. In many ways we may measure Mexico as having been before the people of this Country in establishing and using things that are modern. May I call to your attention that Mexico was already established as a Crown Colony of Spain when the Pilgrims were still on their way to settle on the New England shores from England. May I remind you that the first Lodge of Freemasons was established in Mexico before there was a corresponding Lodge in the English Colony. It is a known fact that the first air mail service between regular designated termini was established in Mexico before this Country had established air mail routes, and also that that great mark of civilization, the printing press, functioned in Mexico before it did in the northern colonies which later became part of the United States.

The Cinco De Mayo as is explained in the resolution is a date of significance to a people who have not only fought their own battle for freedom and thereby won our admiration, but have continued to utilize that freedom and today are a friendly neighbor and one which will aid us in our undertakings whereby we seek to establish a better world in which free people may dwell.

MOTION BY MR. SHAW ORDERED REFERRED TO THE COMMITTEE ON RULES

By unanimous consent, the motion by Mr. Shaw, that House Resolution No. 135 be translated into Spanish, be printed as a separate document, and that 1,000 copies be printed, was ordered referred to the Committee on Rules for consideration, with instructions to Mr. Hollibaugh to present the motion.

ANNOUNCEMENT

Mr. Geddes announced that Assembly Bill No. 817 has been signed by the Governor.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 14	Assembly Bill No. 1437
Assembly Bill No. 494	Assembly Bill No. 1440
Assembly Bill No. 866	Assembly Bill No. 1443
Assembly Bill No. 1032	Assembly Bill No. 1579
Assembly Bill No. 1144	Assembly Bill No. 2011
Assembly Bill No. 1148	Assembly Bill No. 2111
Assembly Bill No. 1408	Assembly Bill No. 2355
Assembly Bill No. 1426	Assembly Bill No. 3051
Assembly Bill No. 1432	Assembly Bill No. 3058
Assembly Bill No. 1433	Assembly Bill No. 3159
Assembly Bill No. 1436	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.
Assembly Bill No. 1053
Assembly Bill No. 2252
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 2355 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 3051 and 3058 re-referred to the Committee on Social Welfare.

Assembly Bills Nos. 14, 494 and 3159 re-referred to the Committee on Elections and Reapportionment.

Assembly Bills Nos. 1032, 1053, 1144, 1148, 1579, 2011, and 2252 re-referred to the Committee on Public Health.

Assembly Bills Nos. 866, 1408, 1426, 1432, 1433, 1436, 1437, 1440, 1443 and 2111 re-referred to the Committee on Judiciary

Senate Bill No. 1186 re-referred to the Committee on Judiciary.

Senate Bill No. 802 re-referred to the Committee on Public Health.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

Today, at 2 p.m —

Subcommittee on Governmental Efficiency and Economy, in Room 4130. Subject: Assembly Bill No. 1060.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Raymond Peterson and son James Peterson of Redwood City

On request of Messrs. Chapel, Hawkins, and Elliott, the usual courtesies of the Assembly for this day were unanimously extended to John Frey of Los Angeles.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert W. LeFever of Ventura.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Miss Carrie Boehler and Edward Boehler of Huntington Park.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Salander and Mr. Sisk, teachers; and Mrs. Nelson and the following pupils of the Fairfax School: Janet Chisholm, Carol Simpson, Joan Ainino, Edith Eskenberry, Avon Harris, Paula Johns, Ruth Johnson, Carole Leavitt, Donna Piecznski, Doyle Purdom, Darlene Shawver, Lois Sturges, Linda Taylor, Dorothy Trumbly, Margaret Waldie, Marilyn Arp, Judy Biss, Josephine Corwin, Sally Dade, Delores Estudillo, Debora Dean, Micky Fessier, Danny Anderson, Dick Cady, Jack Capurro, Robert Davis, Bob Farris, Tom Forester, Steven Grundhauser, James McAsey, Ronald Murry, Dustin Silver,

Robert Swan, Larry Vivier, Pat Kennedy, David Allen, Ray Dallara, Roy Domke, Ronald Gaither, Leland Moon, Ronnie Kauffman, Authur Olden, Tony Rader, Joseph Rizzo, Lois Levy, Catherine Porcilei, Deanne Sherman, Nancy Silva, Elaine Silveria, Gino Stefani, Norman Taylor, Teddy Watson, and Stanley Wisness.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Johnson, teacher, and the following pupils of the Franklin School: Carol Ann Hensley, Joanne Hirasz, Deane Nicolaus, Gladys Ramlier, Barbara Roman, Nancy Schmalt, and Delores Wolff.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to a group of students from the El Portal School of San Pablo.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ethel Rose Taylor, teacher, and the following adult pupils of Golden Gate and Longfellow Schools of Oakland: Mrs. Caroline Accomasso, Miss Anna Accomasso, Mrs. Isabella Anderson, Mrs. Amelia Avery, Mrs. Olga Berg, Miss Ernestine Blake, Mrs. Marina Bonvicino, Mrs. Betty Buchenbucher, Mrs. Pearl Cooper, Mrs. Marjorie De Shay, Mrs. Mary Filippi, Mrs. Charlie Mae Gaines, Miss Sophie Galvez, Mrs. Florence Hill, Mrs. Katie Johnson, Bug Johnson, Mrs. Clara Kander, Mrs. Marjorie Ledford, Mrs. Maria Pauli, Mrs. Pearl Ramirez, Mrs. Vera Ramirez, Mrs. Frances Rosa, Mrs. Mary Correia, Mrs. Fanny Schultz, Mrs Justitia Scott, Mrs. Mary Silva, Mrs. Mary L. Spinner, Mrs. Angela Viale, Frank Viale, Mrs. Lindy Wolff, and Mrs. Sena De Marchi.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to J. H. Swan and the following pupils of the Sacramento Junior College: Leslie Harper, Fred Benton, Don Link, Lu Magennis, Nathalie Grout, Marilyn Johnson, Barbara Stucker, Demaris Krause, Arleen Rodda, Yvetti Elorga, Dolores Linggi, Patricia Cole, Barbara Foskett, and Jim Fairbairn.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Don Maupin and Fred Patterson of Bakersfield.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. M. McMurry and Barbara Van Camp of Alameda.

ADJOURNMENT

At 12.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday May 7, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY

SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 7, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

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

Our Father Which Art in Heaven, Hallowed be Thy name.

We thank You for the call of duty and privilege. Hold before us the prayer of challenge.

God, give us men! A time like this demands
Strong minds, great hearts, true faith and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office can not buy;
Men who have honor; men who will not lie;
Men who can stand before a demagogue
And damn his treacherous flatteries without winking!
Tall men, sun-crowned, who live above the fog
In public duty, and in private thinking."

In Jesus' name we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Stewart, on motion of Mr. Levering.
Mr. Hansen, on motion of Mr. Erwin.
Mr. Hagen, on motion of Mr. Erwin.
Mr. Lindsay, on motion of Mr. Erwin.
Mr. Cloyed, on motion of Mr. Erwin.
Mr. Tomlinson, on motion of Mr. Levering.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 830	Assembly Bill No. 2553
Assembly Bill No. 867	Assembly Bill No. 2573
Assembly Bill No. 1730	Assembly Bill No. 2727
Assembly Bill No. 1731	Assembly Bill No. 2806
Assembly Bill No. 1914	Assembly Bill No. 2914
Assembly Bill No. 2224	Assembly Bill No. 2946
Assembly Bill No. 2275	Assembly Bill No. 3113
Assembly Bill No. 2479	Assembly Bill No. 3210
Assembly Bill No. 2493	Assembly Bill No. 3213

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 1567	Assembly Bill No. 3098
Assembly Bill No. 1789	Assembly Bill No. 3145
Assembly Bill No. 2041	

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 1291	Assembly Bill No. 2863
Assembly Bill No. 1360	Assembly Bill No. 3389
Assembly Bill No. 1566	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 425	Assembly Bill No. 2249
Assembly Bill No. 1070	Assembly Bill No. 2629
Assembly Bill No. 1290	Assembly Bill No. 2892
Assembly Bill No. 1696	Assembly Bill No. 2910
Assembly Bill No. 1871	Assembly Bill No. 3400
Assembly Bill No. 2218	Assembly Bill No. 3409

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Concurrent Resolution No. 53

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 248
Assembly Bill No. 3017

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1951

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

Senate Bill No 218
Senate Bill No. 220
Senate Bill No. 953
Senate Bill No. 1695

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 218—An act to amend Section 6518 of the Health and Safety Code, relating to the laying of sewers and drains in public streets and roads by sanitary districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 220—An act to amend Sections 736.1-1 and 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

Senate Bill No. 953—An act to add Section 1552.2 to the Welfare and Institutions Code, relating to aid to needy children in respect to payments in kind.

Referred to Committee on Social Welfare.

Senate Bill No. 1695—An act to add Section 6304.5 to the Public Resources Code, relating to cooperation by the State Lands Commission with the Federal Government in the development and maintenance of small boat harbors.

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 478
Assembly Bill No. 520
Assembly Bill No. 524
Assembly Bill No. 637
Assembly Bill No. 640
Assembly Bill No. 642
Assembly Bill No. 789
Assembly Bill No. 800
Assembly Bill No. 847
Assembly Bill No. 881
Assembly Bill No. 965
Assembly Bill No. 1024
Assembly Bill No. 1079
Assembly Bill No. 1199
Assembly Bill No. 2044
Assembly Bill No. 2068
Assembly Bill No. 2890
Assembly Bill No. 2938
Assembly Bill No. 3032

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Concurrent Resolution No. 47
Assembly Concurrent Resolution No. 55
Assembly Joint Resolution No. 28
Assembly Concurrent Resolution No. 56

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1951

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

Assembly Bill No. 99
Assembly Bill No. 522
Assembly Bill No. 636
Assembly Bill No. 638
Assembly Bill No. 639
Assembly Bill No. 641
Assembly Bill No. 657
Assembly Bill No. 742
Assembly Bill No. 1198
Assembly Bill No. 2052
Assembly Bill No. 2724

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3031—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1997—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2690—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3405—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3411—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 386—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 14 and 15.

Amendment No. 2

On page 2, line 2, of the printed bill, strike out "the", and insert "Except in a county, or city and county, in which there is a public defender, the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1088—An act to amend Section 680 of the Probate Code, relating to ancillary administration of estates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "Section", and insert "Sections".

Amendment No. 2

In the title of said bill, strike out lines 3 and 4, and insert "680, 682, and 684 of the Probate Code, relating to family allowances from estates."

Amendment No. 3

On page 1 of said bill, between lines 12 and 13, insert

"SEC. 2. Section 682 of the Probate Code is amended to read:

682. If the widow, *widower*, or any minor child has a reasonable maintenance derived from other property, and there are other persons entitled to a family allowance, the allowance shall be granted only to those who have not such maintenance.

SEC. 3. Section 684 of the Probate Code is amended to read:

684. No stay shall be had of payment of any family allowance, or of any installment thereof, pending appeal from an order relating thereto, even though the court, acting under the provisions of Section 946 of the Code of Civil Procedure, shall dispense with or limit the security required of an appellant, if the person in whose favor the allowance is made shall, at any time before the making of such payment, execute and file a good and sufficient written undertaking, with two or more sureties, to the effect that they are bound in double the amount of such payment or payments, and that if the judgment or order appealed from, or any part thereof, be so modified or reversed that such payment, or any part thereof, proves to be unwarranted, the same shall, unless deducted from any final or partial distribution ordered in favor of the widow, *widower*, or minor child from whom such allowance was awarded, be repaid and refunded into said estate, and, if not so repaid and refunded within 30 days after the trial court shall so order following such modification or reversal, judgment may be entered therefor, on motion of the personal representative of said estate, in favor of the said personal representative and against the principal and sureties on such undertaking, for such amount, together with interest and costs, not exceeding the amount of such undertaking."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "three", and insert "four".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 962—An act to amend Section 4300*l* of the Political Code, and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out line 6, and insert "one dollar ($1).

Amendment No. 2

On page 2, line 13, of said bill, strike out "two dollars ($2)", and insert "one dollar ($1)".

Amendment No. 3

On page 3, line 44, of said bill, strike out "two dollars ($2)", and insert "one dollar ($1)".

Amendment No. 4

On page 3, line 51, of said bill, strike out "two dollars ($2)", and insert "one dollar ($1)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2207—An act to amend Section 20 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert
"An act to add Section 18.5 to the Municipal and Justice Court Act of 1949,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert
"SECTION 1. Section 18.5 is added to the act cited in the title, to read:
Sec. 18 5 In any judicial district containing a city of the first and one-half class in which a municipal court is established and where a session of the court is held at a place more than 20 miles from the principal office of such court, a majority of the judges of the court may establish an area surrounding the place where such session is being held comprising a population of at least 10,000, from which trial jurors for such session of the court shall be selected."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2512—An act to amend Section 2616 of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "lation of not less than 234,000 nor more than 250,000, as determined by".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "registered".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1752—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fire boat services and payment for services of firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "_____ dollars ($_____)", and insert "Three hundred thousand dollars ($300,000)".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "_____ dollars ($_____)", and insert "thirty thousand dollars ($30,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2374—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "Gif-ford", and insert "Gilford".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3414—An act to add Sections 108 and 109 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "108 and 109", and insert "1005.1 and 1005.2".

Amendment No. 2

On page 1, line 1, of said bill, strike out "108", and insert "1005 1".

Amendment No. 3

On page 1, line 3, of said bill, strike out "108", and insert "1005.1".

Amendment No. 4

On page 1, line 5, of said bill, strike out "nontributary source", and insert "source referred to in Section 1005 of this code".

Amendment No. 5

On page 1, line 13, of said bill, strike out "109", and insert "1005.2".

Amendment No. 6

On page 1, line 15, of said bill, strike out "109", and insert "1005.2".

Amendment No. 7

On page 1, line 16, of said bill, strike out "109", and insert "1005.2".

Amendment No. 8

On page 1, line 18, of said bill, strike out "an interstate river", and insert "a source referred to in Section 1005 of this code".

Amendment No. 9

On page 2, lines 16 and 17, of said bill, strike out "in this State have depleted ground water basins", and insert "have depleted certain ground water basins in the southern part of this State".

Amendment No. 10

On page 2, line 21, of said bill, strike out "from other sources", and insert "available to these basins from sources referred to in Section 1005 of the Water Code".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on April 23, 1951, after "list", insert "*for each college*".

Amendment No. 2

On page 2, line 19, of said bill, after "were dismissed", insert "*, in the college from which they were dismissed,*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1568—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 16, of the printed bill, after "20461.5", insert "; except that an election is required only among the employees to whom the provisions of Section 20020.5 apply".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3060—An act to add Section 19368.7 to the Government Code, relating to layoff.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

Strike out the title of the printed bill, and insert

"*An act to amend Section 19368 of the Government Code relating to employees in the State Civil Service*".

Amendment No. 2

Strike out lines 1 to 13, inclusive, of said bill, and insert

"*SECTION 1. Section 19368 of the Government Code is amended to read:*

19368. Whenever any position is changed by the adoption of new, different or additional machines or processes while the purpose or product is the same or similar in nature, any civil service employee affected shall be given reasonable opportunity without change in class, status or salary to learn to do the work with the new machine or process and to qualify for status in the different class of position required for such work; provided, that an employee may not be promoted to a higher class under the provisions of this section. An employee who qualifies for appointment in the different class shall be deemed to possess the specific education, experience or other requirements for such class and shall be appointed thereto with the same status and seniority which he last had in his previous class.

An employee shall be deemed to be affected under this section if the adoption of such new, different or additional machines or processes results in his being laid off and if laid off such employee shall have the same opportunity to qualify for appointment to any vacancy in the same class or any new class created because of the adoption of such new, different or additional machines or processes as any other employee affected by the provisions in this section who was not laid off.

The board may prescribe rules and procedures and make determinations for carrying out the provisions of this section including provisions for such examinations and tests of fitness as are deemed appropriate."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 880—An act to add Sections 31470.1, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31558, 31720.5, 31726.5, 31727.2, 31727.4, 31765, 31785, 31786, 31787, 31788, and Article 6.5 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676.2 and 31676.4 of the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 30, 1951, after "31504.9," insert "31520.1,".

Amendment No. 2

In line 7 of the title of said bill, after "31505," insert "31521,".

Amendment No. 3

On page 3 of said bill, between lines 48 and 49, insert

"SEC. 13.4. Section 31520.1 is added to the Government Code to read:

31520.1. In any county subject to the provisions of Articles 6.5 and 7.5, the Board of Retirement shall consist of seven members, one of whom shall be the county treasurer. The second and third members of the board shall be members of the association, other than safety members, elected by such members within 30 days after the retirement system become operative in a manner determined by the board of supervisors. The fourth, fifth and sixth members shall be qualified electors of the county who are not connected with the county government in any capacity, except one may be a supervisor, and shall be appointed by the board of supervisors. The seventh member shall be a

safety member of the association elected by the safety members. The first persons chosen as the second and fourth members shall serve for a term of two years beginning with the date the system become operative, the third and fifth members shall serve for a term of three years beginning with that date, and the sixth and seventh members shall serve for a term of two years beginning January 1, 1952, or the date on which a retirement system established by this chapter becomes operative, whichever is the later. Thereafter the terms of office of the six elected members are three years.

SEC. 13 5 Section 31521 of the Government Code is amended to read:

31521. The board of supervisors may provide that the fourth and fifth members, *and in counties having a board consisting of seven members, the fourth, fifth and sixth members*, shall receive compensation at a rate of not more than ten dollars ($10) a meeting for not more than two meetings per month."

Amendment No. 4

On page 10, line 42, of said bill, strike out "60", and insert "120"

Amendment No. 5

On page 14, line 20, of said bill, strike out "one-half", and insert "60 percent".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2907—An act to add Sections 14259, 14260, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 23, 1951, strike out "14259, 14260", and insert 14258 5, 14258.6".

Amendment No. 2

In line 2 of the title of said bill, after "repeal Sections", insert "14008,".

Amendment No. 3

On page 1, line 1, of said bill, strike out "14259", and insert "14258 5".

Amendment No. 4

On page 1, line 3, of said bill, strike out "14259", and insert "14258.5".

Amendment No. 5

On page 1, line 6, of said bill, strike out "14260", and insert "14258 6"

Amendment No. 6

On page 1, line 7, of said bill, strike out "14260", and insert "14258.6"

Amendment No. 7

On page 1, line 19, of said bill, after "Sections", insert "14008,".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "9359.8", and insert "21364".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3310—An act to amend Section 4800 and to repeal Section 4801 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 18, of the printed bill, after "service.", insert "This section refers to temporary disability only."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3311—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "evidence", and insert "testimony".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3312—An act to amend Section 4850 and to repeal Section 4851 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 8, of the printed bill, after "salary", insert "as temporary disability payments".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1187—An act to add Sections 447, 448, 449, 450, 451, and 452 to the Penal Code, and to repeal Sections 447a, 448a, 449a, 600, and 600.5 thereof, relating to the burning of property.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after the second "any", insert "dwelling house of any sort whatsoever, or any portion of any".

Amendment No. 2

On page 1, line 5, of said bill, after "building", strike out the comma, and insert "or".

Amendment No. 3

On page 1, line 6, of said bill, strike out "or fixture whatsoever", and insert "affixed to the realty".

Amendment No. 4

On page 1, line 17, of said bill, strike out "arson", and insert "a felony".

Amendment No. 5

On page 1, line 21, of said bill, after "less," insert "every such person".

Amendment No. 6

On page 2, line 31, of said bill, strike out "Section 448,".

Amendment No. 7

On page 2, line 44, of said bill, strike out "convicted of", and insert "who pleads guilty to, or is convicted of,".

Amendment No. 8

On page 2, line 45, of said bill, strike out "been".

Amendment No. 9

On page 2, line 45, of said bill, after "previously", insert "pleaded guilty to or have been".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2212—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, between lines 2 and 3, insert

"1429.5. When a defendant pleads not guilty by reason of insanity to a misdemeanor charge, and also joins with it another plea or pleas, he shall first be tried as if he had entered such other plea or pleas only, and in such trial he shall be conclusively presumed to have been sane at the time the offense is alleged to have been committed. If the defendant shall be found guilty, or if the defendant pleads only not guilty by reason of insanity, then the defendant shall be certified to the superior court of the county for prompt trial to determine the question whether the defendant was sane or insane at the time the offense was committed. The superior court shall proceed as provided in Sections 1026 and 1027. If the verdict or finding be that the defendant was sane at the time the offense was committed the superior court shall remand the defendant to the court from which he was certified which court shall sentence the defendant as provided by law. If the verdict or finding be that the defendant was insane at the time the offense was committed the superior court shall proceed as provided in Section 1026."

Amendment No. 2

On page 1 of the printed bill, strike out lines 3, 4, and 5.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2755—An act to amend Section 115 of the Code of Civil Procedure, relating to justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "115", and insert "109".

Amendment No. 2

On page 1, line 1, of said bill, strike out "115", and insert "109".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"109. No [justice of the peace] *judge of a justice court* who is paid a salary, shall draw or receive any monthly salary unless he shall make and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court, which has been submitted for decision for a period of 30 days, remains pending and undecided, [and] that he has complied with the provisions of Section 744 of the Vehicle Code [.] *and that he has reported to the Judicial Council at such times and in such manner as requested by the chairman of the council respecting the condition, and manner of disposal, of judicial business in his court*

SEC. 2. The provisions of this act relating to judges of justice courts shall become operative and apply to such judges upon the establishment of justice courts, and until the time of the establishment of said justice courts, such provisions shall be operative and apply to justices of the peace with the same force and effect as if said justices were herein specifically mentioned."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Sunset Boulevard", and insert "Route 60".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 178—An act to add Section 44.8 to, and to amend Section 44.12 of, the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out ", and to amend Section 44.12 of,".

Amendment No. 2

On page 1 of said bill, between lines 17 and 18, insert

"This section shall remain in effect until the ninety-first day after the final adjournment of the 1953 Regular Session of the Legislature or until the termination of the existing national defense emergency as evidenced by cessation of compulsory military service in the Armed Forces of the United States by citizens of this State, and as found and declared by proclamation issued by the Governor, whichever first occurs While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 3

On page 1 of said bill, strike out lines 18 to 27, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3217—An act to add Chapter 3.5 to Part 2, Division 2 of the Government Code consisting of Sections 25275-25290 inclusive, relating to urban unincorporated areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", strike out "Chapter 3.5 to Part 2, Division 2 of the Govern-"; and strike out line 2 of the title, and insert "Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; and strike out pages 2 and 3, and insert

"SECTION 1. The Legislature hereby finds and declares that unprecedented growth in California, particularly since 1940, has created many new and difficult problems of government. One such problem has arisen in the unincorporated areas of many counties where, as a result of large population growth and extensive residential, commercial and industrial development, these areas require governmental services commonly provided by cities. Many of these areas do not now choose to incorporate or annex to cities.

At the present there is no adequate method of providing efficient and economical performance of multiple urban services in such areas. Boards of supervisors throughout the state, faced with the demand for services from these areas and recognizing the need, have been obliged either to require such areas to create numerous overlapping special purpose districts or to provide the services directly through the county departments. In these circumstances the tendency of many boards of supervisors has been, and increasingly is, to provide these services directly. The law, however, makes no provision for assessment of the cost of such direct county services against the benefited persons and property. Such expenditures are made from the county general fund to which both city and rural property owners contribute through general county taxes. Thus a serious tax inequity has arisen.

The residents and property owners of such unincorporated urban areas of the county are entitled to have made available to them reasonable alternative methods of providing or securing the urban services they require and to choose among the alternatives the method best suited to their local circumstances. Equity requires, in addition, that the inhabitants and property owners of such areas pay for such urban

services rather than to continue to receive them as a result of taxes paid largely by others.

It is, therefore, the purpose of this act to provide additional alternative methods for the provision of such urban services in urban unincorporated areas; to require the payment of such costs by the benefited persons and property; and to establish procedures for the determination and payment of such costs.

SEC. 2. Chapter 3.3 is added to Part 2, Division 2 of the Government Code, to read:

CHAPTER 3.3. URBAN UNINCORPORATED AREAS

25260. On or before March 31, 1953, the board of supervisors of each county shall classify all real property located in the unincorporated area of the county as: (1) urban; or (2) rural.

25261. Real property shall be classified as urban:

(a) If the established or rapidly developing type of land use in the area represents such a degree of residential, commercial or industrial development, or a combination of such uses, as to establish the urban character of the area, as distinguished from those unincorporated areas of the county where the nature of land use and the degree and density of development are such as clearly to retain a rural agricultural character; and

(b) If the nature and extent of such development requires urban services commonly provided within cities, because of population and land use density, which services are not commonly provided or provided to such an extent in the rural agricultural areas of the county.

25262. All unincorporated areas of the county not classified as urban shall be classified as rural.

25263. In classifying any parcel of real property as urban or rural, the board of supervisors shall be guided by the predominant character of land use in the area; provided, however, that as to unimproved property lying along the exterior boundaries of an urban unincorporated area, the board of supervisors shall take into account whether the present or immediately intended use of the land is urban or rural and shall be guided in the classification by such use or intention.

25264. 'Urban Services', as distinguished from 'county standards of service", mean those governmental functions or facilities provided in the unincorporated area of the county which are made necessary as to kind, quality, extent, standard or degree by the urban nature of land use in the area. In determining services which are urban, each board of supervisors first shall identify the services and activities of county government which are performed only in the unincorporated areas of the county. Determination shall then be made of the standards of such services and activities provided in the rural agricultural areas. These are the standards or degrees of service which would be provided throughout the unincorporated area of the county except for the factor of urban development. The board shall then take into account in connection with its determination of each urban service provided in the urban unincorporated areas, the extent to which the county actually provides at county expense or makes direct financial contributions to the support of the same service within all the cities of the county. Services provided or supported in the urban unincorporated area of the county and not provided or supported in the rural area or within cities, and standards or degrees of service provided in the urban unincorporated areas of the county higher than the standards of service provided in the rural agricultural areas and not provided or supported to a like extent within the cities, are hereby defined as and declared to be special urban services by the county to unincorporated urban areas.

25265. On and after July 1, 1953, unincorporated urban areas shall be required to pay all costs, direct and indirect, of urban services provided by the county. Between March 31, 1953, and July 1, 1953, the board of supervisors of each county, after public hearing, shall determine in the manner above provided the extent and cost of urban services being provided urban unincorporated areas and shall cause notice to be given to the inhabitants and property owners of such areas in order that steps may be taken by the inhabitants and property owners of such areas to select and arrange for the method by which they choose to provide and pay for such services.

SEC. 3. Chapter 3 5 is added to Part 2, Division 2 of said code, to read:

CHAPTER 3.5. URBAN SERVICE ZONES

25270. As a method of assessing such costs upon persons and property within the urban unincorporated areas served, the board of supervisors may establish an urban service zone or zones in the urban unincorporated area of the county in the manner provided in this chapter and levy taxes upon taxable property within any such zone or zones as hereinafter provided.

25271 The board of supervisors may commence proceedings for the establishment of an urban service zone or zones within the urban unincorporated area of a county by the adoption of a resolution of its intention to establish such a zone or zones, and setting a time and place for public hearing on the creation of such zones. The hearing shall be not less than 30 days nor more than 60 days after publication of the resolution.

25272. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing and the resolution of intention at least once in a newspaper of general circulation published in the county.

25273. In addition to the resolution of intention the notice of hearing shall:

(a) State that the proceedings are conducted pursuant to this chapter.

(b) State the time and place for the hearing.

(c) State that at the hearing the testimony of all interested persons will be heard.

(d) State that the purpose of the hearing is to create and establish urban service zones within which taxes will be levied to pay the costs of urban services provided such zones by the county.

(e) Include a tentative map or maps of proposed urban unincorporated areas and a list of urban services and approximate tax rates applicable thereto.

(f) State that at said hearing protests will be considered by the board of supervisors.

(g) State that at said hearing requests in writing for the exclusion from or inclusion in any of the proposed zones will be considered by the board of supervisors.

25274. At the hearing the board of supervisors shall hear all testimony and consider documents, maps or exhibits introduced by any interested person. The board may continue the hearing from time to time not exceeding 60 days.

25275. At the hearing protests may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceeding must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. Written protests may be withdrawn in writing at any time before the hearing.

25276. If the board determines that all urban services rendered by the county are uniformly provided to one or more urban unincorporated areas of the county it may establish such urban unincorporated area or areas of the county as a single urban service zone.

25277. If the board determines that only certain urban services rendered by the county, but not all such services, are uniformly provided to all urban unincorporated areas of the county, it may establish all such urban unincorporated areas of the county as a single urban service zone with respect to such services. In such case the board shall establish other zones defining the areas which receive the balance of the urban services rendered by the county in urban unincorporated areas.

25278. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing, nor shall the proceeding be invalidated by any clerical error in the published notice.

25279. At the conclusion of the hearing the board shall deny or allow all protests and requests for exclusion from or inclusion in urban service zones, and shall by resolution finally determine and establish the boundaries of such zones within the county. A map showing the boundaries of the urban service zone or zones as finally established in substantially the same form as the tentative map shall be published at least once in a newspaper of general circulation published in the county within two weeks after the adoption of the resolution of final determination. From the date of the adoption of the resolution finally determining and establishing the urban service zone or zones within the county, the zone or zones thereby established shall be and constitute the official urban service zone or zones of the county, until modified by proceedings taken pursuant to Section 25280, or inclusion within an incorporated city, urban district or district.

25280. Proceedings for modifications of the boundaries of urban service zones to meet changed conditions may be undertaken by the board of supervisors in the same manner as proceedings for the original establishment of zones; provided that no change in boundaries shall be effective for purposes of taxation for the fiscal year following the change in boundaries unless completed prior to the first Monday in February.

25281. After the establishment of an urban service zone or zones within a county the board of supervisors shall annually levy and collect, at the same time and in the same manner as other county taxes are levied and collected, a tax upon all taxable property within each urban service zone in the county in an amount sufficient to pay all costs, direct and indirect, of urban services furnished by the county within such zone. If more than one zone is established in a county, the zones may be given consecutive numbers for convenience of reference.

25282. Whenever any portion of an urban service zone is included with a city by reason of incorporation, annexation or otherwise such portion shall be withdrawn. All urban service zone taxes collected by the county after the date of withdrawal on property so withdrawn shall be paid over to the city.

25283. Whenever any portion of an urban service zone is included within an urban district by formation, annexation or otherwise, such portion shall be withdrawn. All urban service zone taxes collected by the county after the date of withdrawal on property so withdrawn shall be credited by the county to the urban district.

25284. Whenever any portion of an urban service zone is included within a district by incorporation, formation, annexation or otherwise, authorized by law to

perform any of the special services for which the county has levied an urban service zone tax, the county shall immediately undertake proceedings for the modification of the boundaries of such zone pursuant to Section 25280. That portion of urban service zone taxes collected on property so included which is deemed by the board to represent the saving, if any, to the county resulting from such inclusion shall be paid over to the district as the case may be.

SEC. 4. Chapter 7 is added to Title 6 of said code, to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. Petition and Hearing

60510. Urban districts consisting of all or any part of the unincorporated territory of a county and containing not less than 300 inhabitants may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll of all the property within the boundaries of the proposed district.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form: _____ (filling in the blank) Urban District of _____ (filling in the blank) county.

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall be not less than thirty days nor more than sixty days after such filing.

60515 Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district.

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors

(c) Designate the boundaries of the proposed district.

(d) State the time and place for the hearing.

(e) State that at said hearing protests will be considered by the board of supervisors.

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protests pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing Protests in writing may be withdrawn in writing at any time before the hearing.

60519 The proceeding shall terminate if prior to the time the board of supervisors determines that the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 2. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any property within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such property which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532 Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all fees required for the organization of the district.

Article 3. Board of Directors

60540. A board of directors consisting of five members and having the powers and duties hereinafter specified shall be elected for the district.

60541. Each director shall serve for a term of four years except that two of the members of the first board of directors shall serve for a term ending on the 2nd day of January following the next succeeding general election held after their election and three members of the first board of directors shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60542. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of directors. The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60543. Of the five members first elected to the board of directors the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60544. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of director may be filed with the county clerk or the registrar of voters in counties having a registrar of voters Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60545 The first election for board of directors shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication. The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open, and shall contain a list of the precincts together with the polling place in each such precinct.

60546. At the first election the ballot shall be in the following form:

For board of directors: _____ Urban district; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60547. Vacancies in the office of director existing during the term thereof shall be filled by appointment by the board of directors from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60548. Not more than 90 nor less than 60 days before each general election following the first election of a board of directors in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of director for the term commencing on the following January 2nd. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire.

Article 4. Powers of District

60550. Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to buildings and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing use and charges therefor, or to contract with the board of supervisors for the joint use of buildings with other county agencies or urban districts on a rental or ownership basis; and to incur indebtedness for such buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of directors and no protest by the owners of a majority of the assessed valuation as shown by the last equalized assessment roll is made at such hearing.

Third: To contract, either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of such urban services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter 'urban services' mean those services defined in Section 25264 of this code; provided that all such contracts for urban services not involving expenditures for capital outlays shall be on an annual basis, subject to renewal each year prior to the submission of the district budget to the board of supervisors.

Fourth: To adopt a seal and alter it at pleasure.

Fifth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals.

Sixth. To appoint a district manager and such other employees as may be required; provided that employees other than the district manager shall be recruited and appointed in accordance with all requirements of any county ordinance establishing a civil service or personnel system, so far as practicable

Article 5 Powers and Duties of Board of Directors

60560 The powers of the district shall be exercised through the board of directors.

60561 The board of directors shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office at the pleasure of the board of directors, or until his successor is elected.

60562. Three members of the board of directors shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action

60563 The board of directors shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county, with any city in the county or with any state or local public agency to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual costs, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction.

60564 The board of directors shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other matters affecting public health, safety and welfare

60565 The board of directors shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for capital outlays, and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the '(name of the district) urban service district tax' against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof. If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget

60566 The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district All claims and demands against the district shall, when approved by the board of directors, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 6 District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to the provisions of the 'District Investigation Act of 1933'.

Article 7. Changes in District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of directors of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the territory seeking annexation to or exclusion from the district.

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of directors shall consider the petition for annexation or exclusion and, within 30 days after the filing thereof, shall send it to the board of supervisors with the recommendation of the board of directors with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition, provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or of assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding for a period of six months.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and finds that the annexation or exclusion will have no material adverse effect on the district, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed.

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated, and, thereafter, a certified copy of the same shall promptly be filed in the office of the Secretary of State Upon the filing of the aforesaid copy with the Secretary of State, the annexation or exclusion of the territory shall be deemed complete.

60589. If any territory included within an urban district is annexed to or incorporated within any city, the territory shall be automatically excluded from the urban district upon the effective date of the annexation to the city, and this article shall have no application with respect to such annexations or incorporations.

Article 8. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district:
the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections, provided that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594 Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district; or if there be none, then in a newspaper of general circulation published in the county.

60595. The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district, it shall, by resolution, declare the district dissolved.

60598 Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and, thereafter, shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State, the dissolution of the district shall be complete.

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest, it shall, by order, deny the petition for dissolution If the petition for dissolution is denied, a new petition for dissolution may not be filed until at least six months have elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 682—An act to amend Section 20831 of the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, after "of", insert ", and to add Sections 20831.1, 20834 1 and 20834 2 to,".

Amendment No. 2

On page 1, line 7, of said bill, strike out ", or who, on", and insert ". Credit for prior service shall be granted to each state member who, on ".

Amendment No. 3

On page 1 of said bill, after line 10, insert

"The status under this system of each state member who qualifies for credit for prior service under this section shall be adjusted to what it would have been if the prior service had been credited to such member at the date he became a member of this system."

Amendment No. 4

On page 1, line 15, of said bill, after "any", insert "state".

Amendment No. 5

On page 1 of said bill, after line 25, insert

"SEC. 3. Section 20834.1 is added to the Government Code, to read:

20834.1. Credit for prior service shall be granted to each local member who, on or before the effective date of his retirement under this system, becomes entitled to be credited with 10 years or more of current service.

The status under this system of each local member who qualifies for credit for prior service under this section shall be adjusted to what it would have been if the prior service had been credited to such member at the date he became a member of this system.

This section shall not apply to the employees of any contracting agency nor to any such agency unless and until the agency elects to be subject to its provisions by amendment to its contract with the board, made as provided in Section 20461.5, or by express provision in its contract with the board

SEC. 4 Section 20834.2 is added to the Government Code, to read:

20834.2. Every prior service pension and disability retirement pension payable for time commencing on the effective date of this section to any local member who was retired prior to said effective date is hereby increased to the amount it would be if the provisions of Section 20834.1, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the State for any increase in any pension paid or payable for time prior to its effective date. Calculation of pensions under this section shall be made on the basis of current interest rate and mortality tables."

Amendment No. 6

On page 2, line 8, of said bill, strike out "3", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1912—An act to amend Sections 21251.1, 21253, 21296, and 21298 of, and to add Sections 21251.11, 21251.5, and 21253.01 to, the Government Code, relating to the State Employees' Retirement System in respect to pensions payable to retired members thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on April 9, 1951, strike out lines 5 to 7, inclusive, and insert "completed quarter year, in the following table, as adjusted, in the column applicable to his sex, multiplied by the number of years of prior service,".

Amendment No. 2

On page 5 of said bill, strike out line 10, and insert "which he is entitled to be credited at retirement:

Age of Retirement	*Fraction* Men	Women
55	.6879856	.7215644
55¼	.7005907	.7330584
55½	.7131958	.7445523
55¾	.7258010	.7560463
56	.7384061	.7675403
56¼	.7523068	.7800926
56½	.7662075	.7926449
56¾	.7801082	.8051973
57	.7940089	.8177496
57¼	.8094005	.8315137
57½	.8247922	.8452778
57¾	.8401839	.8590419
58	.8555755	8728060
58¼	.8726676	8879249
58½	.8897597	.9030438
58¾	.9068518	.9181627
59	.9239439	.9332817
59¼	.9429579	.9499612
59½	.9619720	.9666408
59¾	.9809860	.9833204
60	1 0000000	1.0000000
60¼	1.0143189	1 0144384
60½	1.0286377	1.0288769
60¾	1 0429566	1.0433153
61	1 0572754	1.0577538
61¼	1.0726679	1 0733538
61½	1.0880603	1.0889539
61¾	1.1034527	1.1045539
62	1.1188451	1.1201540
62¼	1.1354716	1.1370926
62½	1.1520981	1.1540313
62¾	1.1687245	1.1709699
63	1.1853510	1.1879086
63¼	1.2032919	1 2063002
63½	1.2212328	1.2246919
63¾	1 2391737	1 2430836
64	1.2571146	1.2614752
64¼	1.2764797	1.2814969
64½	1 2958448	1.3015185
64¾	1 3152099	1.3215402
65 and over	1.3345750	1.3415618

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members."

Amendment No. 3

On page 6 of said bill, strike out lines 37 and 38, and insert "completed quarter year, in the following table, as adjusted, in the column applicable to his sex, multiplied by".

Amendment No. 4

On page 6 of said bill, strike out line 42, and insert "credited at retirement:

Age of Retirement	*Fraction* Men	Women
55	.6879856	.7215644
55¼	.7005907	.7330584
55½	.7131958	.7445523
55¾	.7258010	.7560463
56	.7384061	.7675403
56¼	.7523068	.7800926
56½	.7662075	.7926449
56¾	.7801082	.8051973
57	.7940089	.8177496
57¼	.8094005	.8315137
57½	.8247922	.8452778

Age of Retirement	*Fraction* Men	Women
57¾	.8401839	.8590419
58	.8555755	.8728060
58¼	.8726676	.8879249
58½	.8897597	.9030438
58¾	.9068518	.9181627
59	.9239439	.9332817
59¼	.9429579	.9499612
59½	.9619720	.9666408
59¾	.9809860	.9833204
60	1.0000000	1.0000000
60¼	1.0143189	1.0144384
60½	1.0286377	1.0288769
60¾	1.0429566	1.0433153
61	1.0572754	1.0577538
61¼	1.0726679	1.0733538
61½	1.0880603	1.0889539
61¾	1.1034527	1.1045539
62	1.1188451	1.1201540
62¼	1.1354716	1.1370926
62½	1.1520981	1.1540313
62¾	1.1687245	1.1709699
63	1.1853510	1.1879086
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63¾	1 2391737	1.2430836
64	1.2571146	1.2614752
64¼	1.2764797	1.2814969
64½	1.2958448	1.3015185
64¾	1.3152099	1.3215402
65 and over	1.3345750	1.3415618

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 2800—An act to add Section 19572.5 to the Government Code, relating to state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 19572.5 to", and insert "amend Section 19583 5 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 19583.5 of the Government Code is amended to read:

19583 5. Any person with the consent of the board [or] *and of* the appointing power may file charges against an employee requesting that punitive action be taken for one or more causes for discipline specified in this article. In all such cases the board

shall conduct a hearing and if it finds that the charges are true it shall have the power to take such punitive action as in its judgment is just and proper."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 3024—An act relating to benefits for members of the fire departments of state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. (a) The provisions of the Labor Code applicable to members of volunteer fire departments, as designated in Section 3361 of that code, shall also apply to employees of State institutions who are volunteer members of the fire fighting organizations of such institutions, except those employees whose principal duties consist of the prevention and fighting of fires.

(b) The provisions of the Labor Code applicable to paid members of local fire departments shall also apply to employees of state institutions whose principal duties consist of the prevention and fighting of fires.

SEC. 2. Employees of state institutions who are members of the fire fighting organizations of such institutions on a full time basis shall be deemed to be, and shall have the rights and privileges of 'local safety members' under the State Employees' Retirement Law."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

SECOND READING OF SENATE BILLS

Senate Bill No. 1038—An act to repeal Sections 2620 and 2737 of the Political Code, to add Section 30 to the Streets and Highways Code, and to add Section 374d to the Penal Code, relating to streets and highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 552—An act to amend Section 771 of the Probate Code, relating to surrender of stock for redemption or conversion by executors and administrators.

Bill read second time, and ordered to third reading.

Senate Bill No. 616—An act to add Section 485b to the Civil Code and Section 7659 to the Public Utilities Code, relating to railroad crossings.

Bill read second time, and ordered to third reading.

Senate Bill No. 733—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1498—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Bill read second time, and ordered to third reading.

Senate Bill No. 1241—An act to amend Section 684.5 of the Vehicle Code, relating to tank vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 389—An act to add Section 20983.1 to the Government Code, relating to retirement of local members of the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 410—An act to amend Section 51550 of the Government Code, relating to municipal taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 411—An act to amend Sections 51510 and 51511 of the Government Code, relating to municipal taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1685—An act to add Sections 25031j and 25071t to the Revenue and Taxation Code, relating to bank and corporation taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1686—An act to add Section 17688 and Section 17758 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1461—An act to amend Sections 11184 and 11272 of the Education Code, relating to textbooks.

Bill read second time, and ordered to third reading.

Senate Bill No. 35—An act making an appropriation in augmentation of the appropriation in Item 5 of the Budget Act of 1950, for expenses of Members of the Senate, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737.1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 737 of," and insert ", 737, 738, 739, and 743 6 of, to amend and renumber Sections 737.2, 737.4, and 737.6 of,".

Amendment No. 2

On page 1, line 3, of said bill, strike out "Immediately", and insert "Without Unnecessary Delay".

Amendment No. 3

On page 1, line 6, of said bill, strike out "immediately taken", and insert "taken without unnecessary delay".

Amendment No. 4

On page 2, line 3, of said bill, strike out "Immediately".

Amendment No. 5

On page 2, line 6, of said bill, strike out "immediately", and insert "without unnecessary delay".

Amendment No. 6

On page 2, lines 8 and 9, of said bill, strike out "immediately taken", and insert "taken without unnecessary delay".

Amendment No. 7

On page 2 of said bill, between lines 35 and 36, insert

"(j) When the person arrested has attempted to evade arrest".

Amendment No. 8

On page 3, lines 12 and 13, of said bill, strike out "Within 60 days of the effective date of this act and at least every six months thereafter", and insert "Every six months".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 3 of said bill, after line 31, insert

"SEC. 6. Section 737.2 of said code is amended and renumbered to read:

[737.2.] *737.1. Clerk of Magistrate or* Jail Custodian May Accept Bail. (a) When an arresting officer attempts to take a person arrested for a misdemeanor violation of this code before a magistrate as provided in Sections 736 and 737 and no such magistrate or person authorized to act for him is available, the arresting officer shall take the person arrested before *the clerk of the magistrate or* the officer in charge of the most accessible county jail, city jail or other place of detention within the county, who shall admit him to bail in accordance with a schedule, fixed as provided in Section [737.4] *737.2*.

(b) The authority to admit to bail as provided in subdivision (a) shall include authority to approve the same, to issue and sign an order for the release of the person arrested, and to set a time and place for his appearance before the appropriate magistrate.

(c) Any jail custodian authorized to accept bail by this section who is not already bonded shall give a bond in such sum as the board of supervisors, or the governing body of the city in the case of a city jail, shall prescribe.

SEC. 7. Section 737.4 of said code is amended and renumbered to read:

[737.4.] *737.2.* Bail Schedule Fixed by County Magistrates. (a) Every six months there shall be held a meeting of the magistrates in each county having jurisdiction over misdemeanor violations of this code at which a schedule of the amount of bail to be set for the release of persons charged with such violations when taken before *a clerk of a magistrate or* an officer in charge of a county jail, city jail or other place of public detention as provided in [Section 737.2] *Section 737.1* shall be adopted, approved, or revised.

(b) In any court within the county having more than one judge or justice, one such judge or justice shall be selected to represent that court.

(c) The meetings shall be held at the time and place specified by the judge of the superior court of the county, or if there be more than one, then by a majority of such judges.

SEC. 8. Section 737.6 of said code is amended and renumbered to read:

[737.6] *737.3*. Schedule to Be Sent to *Clerks of Magistrates and* Jail Custodians. A copy of the schedule mentioned in Section [737.4] *737.2* shall be sent forthwith to each *clerk of a magistrate in the county and to each* officer in the county in charge of a county jail, city jail or other place of detention.

SEC. 9. Section 738 of said code is amended to read:

738. Court Procedure Where Person Arrested for Misdemeanor is [Immediately] Taken Before Magistrate. (a) Whenever a person is arrested for a misdemeanor and is [immediately] taken before a magistrate, the arresting officer shall file with said magistrate a complaint stating the offense with which said person is charged.

(b) The person so taken before a magistrate shall be entitled to at least five day's continuance of his case in which to plead and prepare for trial or be tried within said five days unless he waives such time in writing or in open court.

(c) The person so taken before a magistrate shall thereupon be released from custody upon his own recognizance or upon such bail as the magistrate may fix.

SEC. 10. Section 739 of said code is amended to read:

739. When Person Arrested to Be Given Notice to Appear in Court. (a) Whenever a person is arrested for any violation of this code, not declared herein to be a felony, and such person is not [immediately] taken before a magistrate as hereinbefore required or permitted, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the license number of his vehicle if any, the offense charged and the time and place when and where such person shall appear in court.

(b) The time specified in said notice to appear must be at least five days after such arrest.

(c) The place specified in such notice to appear shall be either:

(1) Before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place where said arrest is made; or

(2) Upon demand of the person arrested, before a municipal court judge or other magistrate having jurisdiction of such offense at the county seat of the county in which such offense is alleged to have been committed or before a magistrate in the township in which the offense is alleged to have been committed.

(3) Before an officer authorized by the city, county, or city and county, to receive a deposit of bail.

(d) Said officer shall deliver one copy of said notice to appear to the arrested person and said arrested person in order to secure release must give his written promise so to appear in court by signing the duplicate notice which shall be retained by said officer. Thereupon the arresting officer shall forthwith release the person arrested from custody.

(e) Said officer shall, as soon as practicable, file said duplicate notice with the magistrate specified therein. Thereupon the magistrate shall fix the amount of bail which in his judgment, in accordance with the provisions of Section 1275 of the Penal Code, will be reasonable and sufficient for the appearance of the defendant and shall indorse upon said notice a statement signed by him in the form set forth in Section 815a of the Penal Code. The defendant may, prior to the date upon which he promised to appear in court, deposit with the magistrate the amount of bail thus set. Thereafter, at the time when the case is called for arraignment before the magistrate, if the defendant shall not appear, either in person or by counsel, the magistrate may declare the bail forfeited, and may in his discretion order that no further proceedings shall be had in such case.

Upon the making of such order that no further proceedings be had, all sums deposited as bail shall forthwith be paid into the city or county treasury, as the case may be.

(f) No warrant shall issue on such charge for the arrest of a person who has given such written promise to appear in court, unless and until he has violated such promise or has failed to deposit bail, to appear for arraignment, trial or judgment, or to comply with the terms and provisions of the judgment, as required by law.

SEC. 11. Section 743.6 of said code is amended to read:

743.6. Procedure Upon Arrest Discretionary in Certain Cases Whenever any person is arrested by any member of the California Highway Patrol for any violation of any state law regulating the operation of vehicles or the use of the highways declared to be a misdemeanor but which offense is not specified in this code, such person shall, in the judgment of the arresting officer, either be given a five-day notice to appear in the manner hereinbefore provided or be [immediately] taken *without unnecessary delay* before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or most accessible with reference to the place where said arrest is made, or, upon demand of the person arrested, before a magistrate in the township in which the offense is alleged to have been committed.

SEC. 12. Sections 6, 7 and 8 of this act become operative only if Senate Bill No. 118 is enacted at the 1951 Regular Session, in which case Sections 737.1, 737.2, and 737.3 added to the Vehicle Code by Sections 3, 4, and 5 of this act shall not become operative."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1012—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, by adding Sections 22, 22.1, 22.2, and 23 to 23.6, inclusive, to the Civil Code, by adding Chapter 2.5, comprising Sections 39 to 39.6, inclusive, to Title 1, Part 1 of the Code of Civil Procedure; by adding Sections 12b, 41, 58 to 58.8, inclusive, 59 to 59.8, inclusive, 60 to 60.4, inclusive, 61 to 61.8, inclusive, 62, 62.1, 65.1, 65.2,

78, 78.1, 79 to 79.58, inclusive, 98 to 98.7, inclusive, 196 and 196.1, 262 to 262.10, inclusive, 268, 304 to 304.4, inclusive, 537.5, 577.5, and 1885 to 1885.2, inclusive, to the Code of Civil Procedure; by adding Sections 1225 and 1227 to the Government Code; by adding Chapter 7, comprising Sections 6700 to 6706, inclusive, Chapter 8, comprising Sections 6800 to 6807, inclusive, and Chapter 9, comprising Sections 6850 to 6851, inclusive, to Division 7, Title 1 of the Government Code; by adding Article 8, comprising Sections 13240 and 13241, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code; by adding Chapter 2, comprising Sections 15100 to 15105, inclusive, to Part 6, Division 3, Title 2 of the Government Code; by adding Part 9, comprising Sections 15600 to 15645, inclusive, to Division 3, Title 2 of the Government Code; by adding Section 24350.5 to the Government Code; by adding Section 8154.1 to the Education Code; by adding Sections 29, 30, and 31 to the Revenue and Taxation Code; by adding Part 12, comprising Sections 28001 to 28208, inclusive, to Division 2 of the Revenue and Taxation Code; by adding Sections 1039 and 1039.1 to the Penal Code; by adding Section 6210.1 to the Public Resources Code; by adding Sections 32 to 37, inclusive, to the Municipal Court Act of 1925; and by repealing an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, and sections of the Political Code specified herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 24, line 20, of the printed bill, strike out "purposes", and insert "purpose".

Amendment No. 2

On page 24, line 51, of said bill, after "to", insert "study or".

Amendment No. 3

On page 25, line 2, of said bill, strike out "of any assessor", and insert ", including any registration fees for institutes or conferences, of any assessor or member of his staff".

Amendment No. 4

On page 26, line 23, of said bill, after "person", insert "who is or".

Amendment No. 5

On page 31, line 12, of said bill, strike out "collections", and insert "collection".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1013—An act to repeal Chapter 6, comprising Sections 3136 to 3158, inclusive, of Title 7, Part 3 of the Political Code and to add Chapter 4, comprising Sections 2080 to 2082, inclusive, to Title 6, Part 4, Division 3 of the Civil Code, consolidating and revising the law, relating to lost and unclaimed property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "book."', and insert "book" or in the "official records."'.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on April 30, 1951, strike out "five-sixteenths inch (5/16")", and insert "three-eighths inch (⅜")".

Amendment No. 2

On page 1, line 15, of said bill, strike out "five-sixteenths inch (5/16")", and insert "three-eighths inch (⅜")".

Amendment No. 3

On page 2 of said bill, strike out lines 18 to 23, inclusive, and insert "cured by four binders as evenly spaced as possible but with one binder firmly attached to the rear bunk."

Amendment No. 4

On page 2 of said bill, strike out lines 25 to 27, inclusive, and insert "logs or poles, any such short log or pole shall be secured to the logs or poles by at least two (2) of the load binders."

Amendment No. 5

On page 2 of said bill, strike out lines 29 and 30, and insert

"687.2. Loads of lumber being moved from its source or origin at sawmill, remanufacturing plant, or dry yard shall be secured in the following manner:

A. Loading Methods:

1. At least one load carrying roller shall be locked or blocked.

B. Binder and Strapping Minimum Requirements:

1. ⅜" Wire Rope, plow steel or better, or

2. ⅜" Steel Chain, hi-test, or

3. 1¼" Manila Rope, knot free.

4. Metal Strapping, ¾" x .035" or the equivalent of 2,900 pounds breaking strength, plus or minus ten per cent, when used for binding packages.

C. Kinds of Loads:

1. Surfaced Lumber.

(a) Package Loads—5' high and under: Entire load secured to the truck with not less than three binders.

(b) Package Loads—Above 5' high: Top and bottom packages separated with adequate stickers Entire load secured to the truck with not less than three binders. One additional center binder around lumber load free from truck attachment or applied and secured to the truck in regular binder manner. When packages are bound with two or more metal straps, use of center binder is not required.

(c) Solid Loads—5' high and under: Entire load secured to the truck with not less than three binders.

(d) Solid Loads—Above 5' high: Entire load secured to the truck with not less than three binders.

2. Rough Lumber

(a) Package Loads—5' High and under: Entire load secured to the truck with not less than three binders.

(b) Package Loads—Above 5' high: Top and bottom packages, separated with adequate stickers. Entire load secured to the truck with not less than three binders.

(c) Solid Loads—5' high and under: Entire load secured to the truck with not less than three binders.

(d) Solid Loads—Above 5' high: Entire load secured to the truck with not less than three binders.

D. Bunks and Chock Blocks

(a) Chock block shall extend to not less than eight inches (8") above the top edge of the bunk except when hauling poles less than twenty-five inches (25") in diameter at the chock.

(b) Chock block chains shall be not less than one-half inch (½") high test steel chain.

(c) No portion of chock blocks shall extend beyond the ends of the bunks to a point where tilting occurs.

(d) Bunks shall have reasonably sharp top edges to minimize load end shift.

(e) Bunks and chock blocks shall be maintained to operate freely without binding.

(f) Bunks shall not be bent down in excess of one inch (1") at either end."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 30, 1951, strike out "Five-sixteenths inch ($\frac{5}{16}$")", and insert "Three-eighths inch ($\frac{3}{8}$")".

Amendment No. 2

On page 4, line 10, of said bill, strike out "and three (3)", and insert "or more".

Amendment No. 3

On page 4 of said bill, strike out lines 11 to 16, inclusive, and insert "have four (4) binders around load as evenly spaced as possible but with one binder firmly attached to the rear bunk."

Amendment No. 4

On page 4, line 17, of said bill, strike out "e", and insert "c"

Amendment No. 5

On page 4, line 20, of said bill, strike out "f", and insert "d"

Amendment No. 6

On page 4, line 21, of said bill, strike out "one (1)", and insert "two (2)".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

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

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2318, entitled: "An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses."

My objections to this bill are as follows:

This measure deals with reciprocal fishing licenses between the State of California and the States of Nevada and Arizona. I am today approving Assembly Bill No. 1908 authored by Assemblymen Erwin and Hinckley and the late Assemblyman Butters, which deals with both reciprocal fishing licenses and reciprocal hunting licenses between

this State and the State of Arizona. I am also signing Assembly Bill No. 2321 authored by Assemblyman McCollister, dealing with the subject of reciprocal fishing licenses between the State of California and any adjoining state By approving these two bills the broadest scope is given to this subject. No necessity remains for the approval of this measure, which would not provide anything that is not provided by the approval of the two bills which I have mentioned.

For the above reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 2318** entitled: "An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses"

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Carley V. Porter, Member of the Assembly, at 6 40 o'clock p m on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2318

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6 40 o'clock p m, of Assembly Bill No 2318 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

CARLEY V. PORTER

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 2318 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, and Mr. Speaker—56.

REQUEST FOR UNANIMOUS CONSENT THAT AMENDMENT BE CORRECTED

Mr. Henderson asked for, and was granted, unanimous consent that Amendment No. 23, adopted on May 3d, to Assembly Bill No. 340 as amended in the Assembly on April 20th, be corrected to show that the amendment is to Assembly Bill No. 340 as amended in the Assembly on May 1st, which was properly before the House.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

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

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1890, entitled: "An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners."

My objections to this bill are as follows:

This bill repeals the present requirement of the Banking Code that certain employees in the office of the Superintendent of Banks take the constitutional oath. This repeal has been suggested for the reason that the same employees are required to take the oath which the Legislature adopted as a measure connected with civil defense The constitutionality of this last requirement has been attacked in our courts and it would be a mistake to repeal the present law until the constitutionality of the second oath has been determined.

Furthermore, the second oath was required by the Legislature upon recommendation of the President of the United States as a measure connected with civil defense. When the present crisis is past and the civil defense effort is abandoned, it may be deemed wise to repeal the present temporary oath provision. In such case there would be no reason for the repeal of the oath sought to be effected by this bill.

For these reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 1890** entitled: "An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Carley V. Porter, Member of the Assembly, at 6.40 o'clock p.m. on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt Assembly Bill No. 1890

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6.40 o'clock p.m., of Assembly Bill No 1890 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

CARLEY V. PORTER

Assembly Bill No. 1890 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

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

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2319, entitled: "An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses."

My objections to this bill are as follows:

This measure deals with reciprocal fishing licenses between the State of California and the State of Arizona. I am today approving Assembly Bill No. 1908 authored by Assemblymen Erwin and Hinckley and the late Assemblyman Butters, which deals with both reciprocal fishing licenses and reciprocal hunting licenses between this State and the State of Arizona. I am also signing Assembly Bill No. 2321 authored by Assemblyman McCollister, dealing with the subject of reciprocal

fishing licenses between the State of California and any adjoining State. By approving these two bills the broadest scope is given to this subject. No necessity remains for the approval of this measure, which would not provide anything that is not provided by the approval of the two bills which I have mentioned.

For the above reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 2319** entitled: "An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to William S. Grant, Member of the Assembly, at 6.40 o'clock p.m. on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2319

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6.40 o'clock p.m., of Assembly Bill No. 2319 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

WILLIAM S. GRANT

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No 2319 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1951

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

GREETINGS: I am returning herewith, without my signature

Assembly Bill No. 1107, entitled: "An act to amend Section 1303 of the Education Code, relating to superintendents of schools."

My objections to this bill are as follows:

I have been informed by the Department of Education that this bill contains technical errors and that it will not accomplish the purpose for which it was introduced This matter has been discussed with the author of the measure and is being returned with his consent.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 1107** entitled: "An act to amend Section 1303 of the Education Code, relating to superintendents of schools."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5 50 o'clock p.m on the fourth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1107

I acknowledge receipt this fourth day of May, 1951, at 5.50 o'clock p.m., of Assembly Bill No. 1107 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 1107 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—58.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

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

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 291, entitled: "An act to amend Section 19437 of the Education Code, relating to civic centers."

My objections to this bill are as follows:

The Civic Center Act has been in existence in California since 1913 and has been integrated into the civic life of our State. The people of California have come to depend upon the use of these school properties for educational, cultural and recreational purposes I believe the act has filled a real need in the life of our State and has not as presently written done an injustice to the taxpayers of the school districts. I believe it would be a mistake to discourage the use of our schools for the purposes of the Civic Center Act. This bill is subject also to the objection that it could be used to freeze organizations which might not be particularly in the favor of the school boards, out of the use of our schools. This can be accomplished under Assembly Bill No. 291 because no uniformity for charging is provided for. The school board could charge those organizations that it chose to charge, and could permit free use of school properties by organizations that it chose to favor. Even among those that it would charge, no uniformity is required. It could charge a large fee to one and a nominal fee to another group, although the use might be identical.

I do not believe that it was ever intended that the Civic Center Act should be on such a narrow or preferential basis. It was, on the contrary, designed to encourage people, both minors and adults, to make use of school properties for wholesome civic purposes

when they were not required for purposes of instruction. We have expended many hundreds of millions of dollars in the construction of public schools and it would seem that in order for the public to receive the maximum benefit from them that they should be made available as much as possible for the advancement of civic interests.

I have received objections to the signing of the bill from the California Congress of Parents and Teachers, the Superintendent of Recreation of the City and County of San Francisco, the County of San Mateo, the City of San Mateo and the City of Turlock, the Boy Scouts of America, the Welfare Council of Metropolitan Los Angeles and other civic organizations.

For the above reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 291** entitled: "An act to amend Section 19437 of the Education Code, relating to civic centers.

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to William S. Grant, Member of the Assembly, at 6 40 p m on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 291

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6.40 o'clock p m., of Assembly Bill No 291 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

WILLIAM S. GRANT

Assembly Bill No. 291 ordered to unfinished business.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1691—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1691?

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the district.

If at the end of any school year there is on hand any balance derived from the increase hereby provided, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year required or authorized by Chapter 9 of Division 9 and Chapter 4 of Division 12 of this code"

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Assembly on April 23, 1951, after "6357.2 to", insert ", and to amend Section 19437 of,".

Amendment No. 3

In line 2 of the title of said bill, as amended, strike out "tax rates", and insert "facilities".

Amendment No. 4

On page 1, line 7, of said bill, as amended, strike out the comma.

Amendment No. 5

On page 1, line 9, of said bill, as amended, after "district", insert ", less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section".

Amendment No. 6

On page 1 of said bill, as amended, beginning in line 13, strike out "is on hand any balance derived from the increase", and insert "remains an unencumbered balance derived from the revenue of the increase in tax rate".

Amendment No. 7

On page 1 of said bill, as amended, following line 18, insert

"SEC. 2. Section 19437 of said code is amended to read:

19437. The use of schoolhouses, property, and grounds pursuant to this chapter shall be granted free, *except as otherwise provided by Section 19438, to organizations, clubs, or associations organized for general character building or welfare purposes.*

For any other use of schoolhouses, property, and grounds pursuant to this chapter, including uses for which charges may be made under Section 19438, the governing board of any school district may charge not to exceed an amount sufficient to pay the cost to the district of supplies, utilities, and salaries paid school district employees necessitated by such use of schoolhouses, property, and grounds of the district."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1691 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1691 ordered enrolled.

MOTION TO SET SPECIAL ORDER

Mr. Rosenthal moved that his notice of motion to withdraw Assembly Bill No. 3253 from committee be made a special order of business for Wednesday, May 7, 1951, at 10 30 a.m.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—51.

NOES—Dickey, Dunn, Geddes, and Hollibaugh—4.

Notice of Motion to Withdraw Assembly Bill No. 3253 From Committee Continued

By unanimous consent, the notice of motion by Mr. Rosenthal to withdraw Assembly Bill No. 3253 from committee was continued until the next legislative day.

MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 3

In compliance with a notice given on a previous day, Mr. Collier moved that the vote whereby Senate Constitutional Amendment No. 3 was refused adoption be reconsidered.

Senate Constitutional Amendment No. 3 refused reconsideration by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Erwin, Gaffney, Grant, Grunsky, Gubser, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—34

NOES—Chapel, Coats, Condon, Cooke, Crowley, Dickey, Dills, Dunn, Elliott, Evans, Fleury, Geddes, Hahn, Hawkins, Henderson, Hollibaugh, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, and Rosenthal—25.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1646?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 2, 1951, between lines 26 and 27, insert

"The following are campaigns under Section 1¼ of Article XIII of the Constitution:

(a) First Nicaraguan campaign.

(b) Second Nicaraguan campaign

(c) Yangtze River campaign in China

(d) All other campaigns for service in which a medal has been issued by the Congress of the United States."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1646 by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1646 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 16 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 877, on motion of Mr. Waters.

Assembly Bill No. 3342—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, after "heater", insert "for any election held between November 1st and April 1st".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3416—An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

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

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2763—An act to amend Section 58 of, and to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agriculture.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1074—An act to add Section 49.5 to the Fish and Game Code, relating to hunting and fishing seasons.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1243
Assembly Bill No. 3066
Assembly Bill No. 3198

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

SHERWIN, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2840—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Hinckley, Evans, Morris, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2840.

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

AYES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Moss, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—45.

NOES—Beck, Belotti, Coats, Conrad, Davis, Erwin, Evans, Hahn, Kelly, Kirkwood, Klocksiem, Levering, McCarthy, McFall, McGee, Munnell, Parker, Rosenthal, Sherwin, and Waters—20.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2218—An act to add Section 14074.5 to the Health and Safety Code, relating to the powers and duties of boards of fire commissioners of fire protection districts, in respect to civil service.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2892—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Thomas, Waters, and Mr. Speaker—59.
NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1290—An act to amend Section 18051 of the Education Code, relating to the letting of contracts by school districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Waters, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 425—An act to add Section 225q to the Civil Code, relating to the adoption of children.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3400—An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2629—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130.1 and 130.2 to said code, relating to joint highway districts and the construction of state highways.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1360, on motion of Mr. Caldecott.

Assembly Bill No. 248—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Condon asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the urgency clause to Assembly Bill No. 248, and that he be recorded as voting "Aye".

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "a designated day", and insert "staggered pay roll periods, and designated days".

Amendment No. 2

On page 1, line 19, of said bill, strike out ", which date", and insert ". Such pay dates".

Amendment No. 3

On page 2, line 1, of said bill, strike out ". Such pay dates", and insert ", and".

Amendment No. 4

On page 2, line 18, of said bill, strike out "sixteenth", and insert "thirty-first".

Amendment No. 5

On page 2, line 20, of said bill, strike out "15", and insert "30".

Amendment No. 6

On page 2, line 40, of said bill, strike out "and the State Pay Roll Revolving Fund", and insert ", the State Pay Roll Revolving Fund, and related records of state agencies within the Uniform State Pay Roll System".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1291—An act to amend Section 5901 of the Education Code, relating to school district emergency cash funds.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1566—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 386
Assembly Bill No. 1819
Assembly Bill No. 1997
Assembly Bill No. 2217
Assembly Bill No. 2690
Assembly Bill No. 2874
Assembly Bill No. 3031
Assembly Bill No. 3405
Assembly Bill No. 3411

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2863—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Thomas, and Waters—59.
NOES—Gubser and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2605—An act to amend Section 758 of the Political Code and Section 61 6 of the Code of Civil Procedure, relating to the salary of the clerk of each district court of appeal.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—66.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 986—An act to add Section 459.6 to the Vehicle Code, relating to boundary line streets and highways and vehicles using the same.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON HOUSE RESOLUTION NO. 130 AS CO-AUTHOR

Mr. Evans asked for, and was granted, unanimous consent that his name be placed upon House Resolution No. 130 as a co-author.

CONSIDERATION OF HOUSE RESOLUTION NO. 130

By Messrs. Rosenthal, Beck, Munnell, Waters, Geddes, and Evans:

House Resolution No. 130

Relative to congratulating Superior Court Judge Brand on the occasion of his retirement

WHEREAS, Superior Court Judge Edward R. Brand of Los Angeles County is retiring from the bench, where he has served faithfully and ably since 1936; and

WHEREAS, For two years Judge Brand was the Presiding Judge of the Criminal Division of the Los Angeles Superior Court; and

WHEREAS, Judge Brand was re-elected four times to the superior court, evidencing the high regard of the people of Los Angeles County for his integrity and devotion to duty; and

WHEREAS, Judge Brand is held in high esteem by the members of the bench and bar; and

WHEREAS, Judge Brand has contributed unselfishly and unstintedly of his time and effort in behalf of community enterprises and worthy civic causes; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Judge Edward R. Brand upon his long and valuable service on the bench and wish him future happiness and success; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Judge Brand.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1865—An act to amend Section 53601 of the Government Code, relating to the powers of cities.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1864—An act to amend Section 37202 and 37203 of the Government Code, relating to the powers of cities.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2005

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 53

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 53, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 53

Assembly Concurrent Resolution No. 53—Relative to merit awards to state employees.

Resolution read.

Request for Unanimous Consent to Temporarily Suspend Rule No. 45

Mr. Dunn asked for, and was granted, unanimous consent that Rule No 45 be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 53, at this time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting and Caucus, upon recess, today, at the Hotel Sacramento.

RECESS

At 11.50 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1278 and 1287 of the Penal Code, relating to form of bail bonds.

Respectfully submitted.

C. W. LYON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lyon:

An act to amend Sections 1278 and 1287 of the Penal Code, relating to form of bail bonds.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Motion carried. Time, 2.01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Fleury, Gaffney, Grant, Gubser, Hinckley, Kilpatrick, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Shaw, and Waters—23.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Concurrent Resolution No. 54—Relative to the death of the Honorable William E. Simpson;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

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

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

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

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 243—An act to amend Section 27285 of the Government Code, relating to the recording of documents;

Assembly Bill No. 244—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments;

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of

funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 658—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of May, 1951, at 2 p m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 58: By Mr. Geddes—Relative to approving the charter of the City of Arcadia, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of April, 1951.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs. Grant, Porter, Maloney, Chapel, Rosenthal, Thomas Berry, Klocksiem, Condon, Cooke, Burkhalter, Doyle, Geddes, Erwin, Hinckley, Clarke, McCollister, and Conrad:

House Resolution No. 136

Relating to wishing former Governor Merriam a rapid recovery from his illness

WHEREAS, News has reached us of the illness of former Governor Frank F. Merriam, much to the individual and sincere disquiet of the Members of the Legislature, who recall his contributions to adapting government to meet human needs; and

WHEREAS, Frank F. Merriam began his career as a public servant in the Iowa Legislature, in which he served two terms, and then four years as the auditor of that State; and

WHEREAS, He was a modern pioneer of the West from the days he operated a newspaper in the Territory of Oklahoma, to the days of his civic leadership in Long Beach, California, when for the second time a popular demand arose for his entrance into state service. He became a Member of the Assembly in 1917, where he was to serve for the 10 years following. As Chief of the Republican Party in California he successfully directed the election of a fellow Californian to the Presidency of the United States; and

WHEREAS, Such experience in journalism, pioneering and civic development, and his ability in working with all people's problems cried for broader fields to cultivate and harvest, in the tradition of his farming forbears, the people elected him Lieutenant Governor in 1930; and

WHEREAS, It would seem that by Providence a man of his solid and certain character was to be the State's Chief Executive after the collapse of national finance and distribution and during the State's struggle for economic rehabilitation, Governor Frank Merriam fulfilled the highest demands of the day in relief emergencies and kindred problems. A man of conservative views, he successfully met the challenges of the hour with liberal administration; and

WHEREAS, The State will ever be grateful for the willingness of his abundant heart and his distinguished personal presence in all forms of public endeavor; and

WHEREAS, He has been basking in the sunshine of a California he helped build and guide; now, therefore, be it

Resolved by the Assembly of the State of California, That there be wished for him a rapid recovery and the best of health; and be it further

Resolved, That the Chief Clerk transmit a suitably prepared copy of this resolution to our colleague, at 20 Lindero Avenue, Long Beach.

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1696

Mr. Kirkwood asked for, and was granted unanimous consent that he be permitted to take up Assembly Bill No. 1696 temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1696

Assembly Bill No. 1696—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

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

The following resolution was offered:

Assembly Joint Resolution No. 33: By Mr. Cloyed, Mrs. Niehouse, and Mr. Luckel—Relative to the completion of the San Diego Aqueduct.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 585

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 585 temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 585

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57.

NOES—George D. Collins—1.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 137

Relating to the construction of a passageway over Ramona Freeway in the City of Los Angeles

WHEREAS, The construction and improvement of the Ramona Freeway in the City of Los Angeles has resulted in a cul-de-sac at the place where Ramona Freeway intervents Evergreen Avenue; and

WHEREAS, To traverse Ramona Freeway it is now necessary for the residents in the vicinity of Evergreen Avenue to travel several miles eastward or westward from Evergreen Avenue to either Soto Street or City Terrace Drive; and

WHEREAS, The rapid development of the Ramona area means that several thousands of persons are required to make this circuitous trip to use the schools, shopping centers, business district, doctors, dentists, post office, and the community center; and

WHEREAS, It is necessary for the well-being, health, safety, and welfare of the people in the Ramona area that some means of crossing the Ramona Freeway at the point of Evergreen Avenue be constructed immediately; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works take such steps as may be necessary to immediately construct a footbridge over Ramona Freeway at Evergreen Avenue in the City of Los Angeles; and be it further

Resolved, That the Department of Public Works commence construction of a vehicle overpass over Ramona Freeway at Evergreen Avenue at the earliest possible date, in accordance with the agreement between the City of Los Angeles and the Division of Highways, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Highway Commission and to the Director of the Department of Public Works.

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2456

Mr Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2456, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2456

Assembly Bill No. 2456—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142.3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1005

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1005, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1005

Assembly Bill No. 1005—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read third time.

Demand for Previous Question

Messrs. Collier, Hinckley, Evans, Geddes, and Hahn demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1005.

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

AYES—Belotti, Caldecott, Chapel, Clarke, Collier, Conrad, Dolwig, Erwin, Grant, Grunsky, Gubser, Hinckley, Kelly, Kirkwood, Lincoln, McCollister, McMillan, Porter, and Sherwin—19.
NOES—Beck, Berry, Brown, Burke, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Hahn, Henderson, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Thomas, and Waters—41.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1814

Has had the same under consideration, and reports the same back with amendments with the *recommendation: Amend, and re-refer to the committee.*

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 730—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sterilization of patients in state

hospitals or state homes under the jurisdiction of the Department of Mental Hygiene.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—Evans and Maloney—2.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 3199

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3407

Mr. Hahn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3407, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3407

Assembly Bill No. 3407—An act to amend Section 220 of the Public Utilities Code, relating to common carriers.

Bill read third time.

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

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—56.

NOES—Dills, Geddes, Luckel, and Lyon—4

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1747—An act to amend Section 120 of the Insurance Code, relating to insurance.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1748—An act to amend Sections 1191 and 1192 of, to repeal Section 1199 of, and to add Sections 1192 4 and 1199 to, the Insurance Code, relating to insurance.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 16, 1951, strike out "Sturgis"; and strike out line 5.

Amendment No. 2

On page 1, line 6, of said bill, strike out "rules of order, or such other", and insert "any".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 92—An act to add Article 13 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory to high school districts.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Grunsky asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to judicial salaries, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 7, 1951

Honorable Donald L. Grunsky
Assembly Chamber

ASSEMBLY BILLS 2624, 2625, AND 2626 RE JUDICIAL SALARIES—No. 7950

DEAR MR. GRUNSKY: You have asked our opinion whether the above bills can be enacted prior to the Budget Bill in view of the provision in Section 34 of Article IV that until the Budget Bill has been finally enacted neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor, or appropriations for the salaries, mileage, and expenses of the Senate and Assembly. The bills in question increase the salaries of the judges of the superior and appellate courts and also increase the amount paid by the State as its share of the salaries of the superior court judges.

It is our opinion that none of these bills contains an appropriation and hence they may be properly enacted prior to the Budget Bill.

The sections affected by these bills are contained in Chapter 5 of Title 1 of Part 3 of the Political Code. Section 737 of that chapter provides that the provisions thereof prescribing salaries do not effect an appropriation of money and shall not be construed as making an appropriation or appropriations therefore, and that such salaries shall be payable only from such funds as may be made available under other provisions of law. The provisions of this chapter would be transferred to the Code of Civil Procedure by A. B. 2626, now pending before the Legislature, and the bills in question are addressed both to the Political Code and to the proposed new provisions of the Code of Civil Procedure.

We believe that the provisions of Section 737 are controlling as to the legislative intent regarding these bills and that the section negatives any possibility that the bills make appropriations. The section appears also to be applicable to the provision in Assembly Bill No. 2626 that increases the State's share of the salaries of the judges of the superior court. So far as we are aware, this provision has never been considered to be an appropriation. The appropriation to pay the State's share of the salaries of judges of the superior court has always been contained in the Budget Bill or in some other bill making a specific appropriation for that purpose. The current appropriation is contained in Item 379 of the pending Budget Bill.

Since the only limitation upon the enactment of bills prior to the Budget Bill is the one regarding appropriation bills, we know of no

reason passage of these bills should await the enactment of the Budget Bill.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Two copies to Honorable Thomas Caldecott pursuant to Joint Rule 34.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 319—An act to add Section 8275 to, and to amend Section 13521 of, the Education Code, relating to the teaching of Communism upon any property belonging to any agencies included in the Public School System.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Luckel, Morris, Hinckley, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 319.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—George D. Collins, Condon, Davis, Dunn, Elliott, Hawkins, McFall, McMillan, Parker, and Rosenthal—10.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1999

Mr. Cloyed asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1999, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1999

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Sections 352 and 358 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspections, and meat thereof.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "Sections 352 and 358", and insert "Section 352".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 10, inclusive, and insert

"351.9. Every person not a licensed slaughterer who slaughters any cattle or calves, except calves marketed with the hides on, shall keep in his possession the hide thereof, with the brands attached thereto, without any alteration or disfiguration thereof, until said hide is inspected or released, and shall exhibit said hide to any inspector or peace officer on demand."

Amendment No. 3

On page 1, line 13, of said bill, strike out "cattle or calves".

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 22, inclusive, and insert "unless he has in his possession and exhibits to any inspector or peace officer on demand either:

(a) The hide or hides of the animal or animals from which the meat was obtained, with ears and brands attached thereto, without alteration or disfiguration; or

(b) A certificate of inspection or release of the hide or of the carcass with the hide on, issued under the provisions of this article; or

(c) A bill of sale, memorandum or sale, or other written instrument, signed by the seller or donor of the meat, showing the name and address of the seller or donor."

Amendment No. 5

On page 2, line 1, of said bill, strike out ", except", and insert ". No fee shall be charged for".

Amendment No. 6

On page 2, line 3, of said bill, after "and", insert "when".

Amendment No. 7

On page 2 of said bill, strike out lines 25 to 29, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 901—An act to amend Section 11291 of the Education Code, relating to the distribution of textbooks published by the State Board of Education.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 205—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 911—An act to add Section 16376 to the Government Code, relating to funds deposited in trust in the State Treasury for the California State Historical Assocition.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 208—An act to add Section 6501.1 to and to amend Section 6502 of, the Public Resources Code, relating to the leasing of public lands.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 806, on motion of Mrs. Niehouse.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST BY MR. LYON FOR PERMISSION TO INTRODUCE BILL

At 3 17 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted to Mr. Lyon by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—76.

NOES—None.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3424: By Mr. Lyon—An act to amend Sections 1278 and 1287 of the Penal Code, relating to form of bail bonds.

Referred to Committee on Judiciary.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, May 8th, at 7 30 a.m., at Hart's Restaurant.

Mr. McCollister announced that the Committee on Military Affairs has cleared its calendar.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Thomas to reconsider the vote whereby Assembly Bill No. 188 was passed was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1540 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 1540 be passed on file, and hold its place on file on the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hollibaugh to reconsider the vote whereby Senate Bill No. 1610 was refused passage was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Concurrent Resolution No. 56—Relative to extending condolences on the death of Lotus H. Loudon;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of May, 1951, at 3 p m.

BURKE, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2041, 3098, 1789, 830, 2275, 2553, and 2573 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 867, 2224, 2493, 3199, and 1567 re-referred to the Committee on Education.

Assembly Bills Nos. 1914, 2479, 2727, 2806, 3210, and 3213 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 1730, 1731, 3145, and 2914 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2946 re-referred to the Committee on Ways and Means.

Assembly Bill No. 3113 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 213 re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1680 re-referred to the Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4.30 p.m.—

Subcommittee on Fish and Game, in Room 4144. Subject: Yellowtail Fish Bills.

At 8 p.m.—

Judiciary, in Room 432.

Finance and Insurance, in Room 3186.

Today Upon Adjournment—

Public Utilities and Corporations, in Room 432.

Boards and Commissions, in Room 426.

Ways and Means, in Room 435 Subject: Assembly Bill No. 1985.

Tomorrow, Tuesday, May 8th, at 9.30 a.m.—

Rules, in Room 3186.

It was announced that the following committee would hold no meeting today:

Military Affairs

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs Smith and Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to J. Don Wise of Glendale.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Robert W. Dukes and son Bobby, of Claremont.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Luke White of Honolulu.

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs John Klocksiem of Los Angeles.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. J. Krause of La Canada.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James Boyle of Los Angeles.

On request of Messrs. Rosenthal and Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Larry Simon of Los Angeles.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold Smith and Mrs. May Krenston of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Lee Holland of Alturas.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Ben F. King, teacher, and the following pupils of the Esparto Union High School: Douglas Carleton, Ernest Covington, Albert Errington, Darleen Gans, Artis Jager, Dolores McCampbell, John McCants, Barbara McGrew, Catherine Manas, Felix Mata, Hunow Mata, Claire Mefford, Nancy Monroe, Catherine Nichols, Dorothy Schaupp, Sue Shaw, Jean Sroff, Dick Stephens, Betty Tandy, Evelyn Truitt, Sue Vance, Donna Walker, and Isao Yamamoto.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Paul Ely of Arcata.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Agnes Hilary, Barbara Beebe, and Dr. Wm. C. Jordan, teachers, and the following pupils of the Fairmont School: Antonette Arnold, Claudette Battezatti, Harvey Brink, Theodore Cano, Guy Eddy, Larry Edwards, Le Roy Clarke, Ford James, Billy Foy, Nancy Hage, Boyd Johnson, Martha Johnson, Jean Johnston, Carl Jones, Gerald Keenan, Gloria Lawson, Leland Lum, Carol Malispina, Olga Mendola, Darrell Mulloy, Wayne Murray, Randy Newman, James Nolan, Diana Pelfini, Salvador Ramierz, Michael Russ, Nancy Ruzich, Carmen Sato, Gail Standler, Fraiser Francis, Frances Ramierz, Donna La Roche, Ronald Long, Pauline Medina, Norma Areneda, Dorothy Batistach, Joe Belli, Dorene Bergstrom, Thelma Bernard, Ronald Boone, Richard Carlson, Roberta Dominick, Margaret Eadis, Ronald Escalante, Leo Gomez, Patsy Howard, Charles Kent, Judith Martin, Francis McIntyre, Richard Milat, Joy Mitchell, Joan Murphy, Richard Neuman, Pat Nickolin, George Nolan, Luccelli Ortega, Joyce Porter, Robert Priola, Ann Shirley, Jerry Souza, James Vance, John Vance, Jerry Vagir, Gordan Younger, Lee Younger, Henry Bernard, Antonet Ortiega, and Kathleen Neuman.

ADJOURNMENT

At 3.23 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, May 8, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY

SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 8, 1951

The Assembly met at 10 a.m.
Hon. Sam. L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

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

Quorum present.

PRAYER

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

O God, Protector and Helper of All Thy Children, Comforter of the solitary, we commend unto Thee those who serve our Nation upon the land or sea or in the air.

We pray for guidance for those who are responsible for the decisions of the United Nations and our own beloved land.

Give us an awareness of our individual responsibilities so that we may be inclined to all justice, to love mercy and demean ourselves with that pacific temper of mind which characterized the Divine Author of our blessed religion.

"Our Saviour King, defend us,
And guide where we should go;
Forth with Thy message send us,
Thy love and light to show,
Till, fired with true devotion
Enkindled by Thy word,
From ocean unto ocean
Our land shall own Thee Lord."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

COMMUNICATIONS

By Speaker Sam L. Collins:

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

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

Date: May 7, 1951

To: Honorable Sam L. Collins
Speaker of the Assembly
State Capitol
Sacramento, California

SUBJECT: TRANSFER OF LIQUOR CONTROL

From: State Board of Equalization
Dixwell L. Pierce, Secretary

At its meeting in Los Angeles on May 4, 1951, the State Board of Equalization, upon motion of Honorable Jerrold L. Seawell, adopted the enclosed resolution regarding the transfer of the administrative responsibility for alcoholic beverage control from the board to a separate agency of the State Government.

This resolution was adopted by the unanimous vote of all five members of the board By their direction, I am sending you this copy in order that the Assembly may be informed of the action of the board. A similar communication and enclosure are being sent to the President of the Senate, so that that legislative body may also be informed of the views of the board members on this subject.

DIXWELL L. PIERCE

STATE BOARD OF EQUALIZATION

Resolution Regarding Transfer of Liquor Control
Introduced by Jerrold L. Seawell
Unanimously Adopted, May 4, 1951

WHEREAS, Proposed constitutional amendments are now pending before the California State Legislature proposing to separate the administration of alcoholic beverages from the tax administration functions of the State Board of Equalization; and

WHEREAS, There are many people and organizations who believe a separate alcoholic beverage control authority, protected in every possible way from political influences and having wide authority over liquor law administration, will promote public welfare; and

WHEREAS, Those who believe in the separation of liquor law administration from tax administration base their contention that the rapidly increasing population of California, with the attendant increase in permits, revenues, valuations, and hearings and litigation in connection therewith, merit the full attention of the State Board of Equalization; and that such separation of control will improve the administration of both state services from social, political and economic standpoints; and

WHEREAS, Since the Board of Equalization believes that over a period of 17 years it has performed its constitutional duties to the best of its ability with the facilities made available to it to perform this function, it has no objection to the transfer of the enforcement of the provisions of the Alcoholic Beverage Control Act to another state agency if it is believed such action would better the public welfare; now, therefore, be it

Resolved by the Members of the Board of Equalization, That if the Legislature believes the separation of liquor control enforcement from the Board of Equalization would be conducive to better government they respectfully recommend to the Legislature that it take action at the 1951 Session appropriate to achieve the objectives contained in this resolution; and be it further

Resolved, That if a constitutional amendment is submitted by the Legislature to the people that it should contain the following objectives:

1. The creation of an Alcoholic Beverage Commission consisting of members whose responsibility it shall be to administer the laws of California pertaining to the regulation of the manufacture and sale of such beverages;

2. Inclusion in the proposed amendment of provision that the commissioners, to be appointed by the Governor with the confirmation of the Senate, shall serve for

six-year terms, expiring at two-year intervals, to assure their independence of action, continuity of service, and freedom from disruptive political influences;

3. Inclusion in the proposal of provision for judicial review of the acts of the Alcoholic Beverage Commission, thus assuring that there may be speedy access to the courts to determine the lawfulness of its orders, and insuring against the possibility of arbitrary exercise of its powers; and

4. Enactment of legislation to effectuate the purpose of the constitutional amendment by providing, upon its adoption, for the transfer of regulatory responsibility under the Alcoholic Beverage Control Act from the State Board of Equalization to the Alcoholic Beverage Commission, together with the removal from the act of its excise tax provisions to the end that they may be administered thereafter as a part of the Revenue and Taxation Code by the State Board of Equalization.

Above subject matter ordered referred to the Committee on Constitutional Amendments.

By Speaker Sam L. Collins:

A communication from Lewis B. Hershey, Director, National Headquarters, Selective Service System, Washington, D. C., relative to the Selective Service Act was received, and ordered referred to the Committee on Military Affairs.

By Speaker Sam L. Collins:

A resolution from Phyllis A. Croll, Secretary, Planning Commission of City of Montebello, urging the passage of Assembly Bill No. 1250, was received, and ordered referred to the Committee on Municipal and County Government.

By the Chief Clerk:

A communication from Harold F. Greek of Ontario, relative to the hardships of veterans who have been disfigured in battle, was received, and ordered referred to the Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT THAT CORRECTIONS BE MADE IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that page 3994 of the Assembly Journal for Monday, May 7, 1951, be corrected in four places to show the action was on "Assembly Bill No. 585," instead of "Assembly Bill No. 2665."

Messrs. Hinckley and McCollister asked for, and were granted, unanimous consent that page 3996 of the Assembly Journal for Monday, May 7, 1951, be corrected to show that Assembly Bill No. 1005 was refused passage by a vote of "Ayes—19; Noes—41," as the "Ayes" and "Noes" were inadvertently reversed in printing.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 370

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 1999
Assembly Bill No. 3017
Assembly Bill No. 3342

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 1088
Assembly Bill No. 1164

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1827—An act to amend Sections 801.3, 801.9 and 801.11 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property;

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services;

Assembly Bill No. 3379—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1587—An act to add Section 14122.6 and to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees;

Assembly Bill No. 1653—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles;

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts;

Assembly Bill No. 837—An act to amend Section 8205 of the Government Code, relating to notary public;

Assembly Bill No. 1586—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1121

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

EVANS, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1981

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

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2611

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 302

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 980

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

BROWN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 61

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 704
Senate Bill No. 706
Senate Bill No. 707
Senate Bill No. 708

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 866
Assembly Bill No. 1029
Assembly Bill No. 1836

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

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1293
Assembly Bill No 1490
Assembly Bill No. 2453
Assembly Bill No. 2725

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 348

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 591
Assembly Bill No. 1369
Assembly Bill No. 2597

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 94

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

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2079

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 99
Senate Bill No. 417
Senate Bill No. 676
Senate Bill No. 805
Senate Bill No. 1059
Senate Bill No. 1252
Senate Bill No. 1429
Senate Bill No. 1553

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

SENATE CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Concurrent Resolution No. 46
Assembly Constitutional Amendment No. 19

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 263
Assembly Bill No. 839
Assembly Bill No. 943
Assembly Bill No. 1736
Assembly Bill No. 2506
Assembly Bill No. 2669

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Bill No. 1810
Assembly Bill No. 2859
Assembly Bill No. 2860

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 7, 1951

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

Senate Concurrent Resolution No 55
Senate Constitutional Amendment No. 25

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 55—Relative to amending the Joint Rules of the Senate and Assembly by adding Rule 30 5, relating to conference committee reports. .

Referred to Committee on Rules.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 3a to Article VI thereof, relating to advisory opinions of the Justices of the Supreme Court.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1951

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

Senate Bill No. 71
Senate Bill No. 72
Senate Bill No. 145
Senate Bill No. 267
Senate Bill No. 954
Senate Bill No. 1062
Senate Bill No. 1212
Senate Bill No. 1250
Senate Bill No. 1544
Senate Bill No. 1589

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 71—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 3.1, 30.1, 36.1, 56.1, 61.1, 67.1, and 77.1, relating to the authorization, issuance, and payment

of bonds of water conservation districts and improvement districts created under said act and the levy of assessments upon real property for the payment thereof, repealing Chapter 63 of the Statutes of the 1950 First Extraordinary Session, and validating districts organized pursuant to said Water Conservation Act of 1931, as amended by said Chapter 63.

Referred to Committee on Agriculture.

Senate Bill No. 72—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 30.2 and 35.1, relating to the authorization and levy of annual assessments and special assessments upon real property within water conservation districts and improvement districts created therein.

Referred to Committee on Municipal and County Government.

Senate Bill No. 145—An act to amend Section 32355 of the Government Code, relating to retirement systems benefits in county fire service.

Referred to Committee on Municipal and County Government.

Senate Bill No. 267—An act to amend Section 2 of the Water Conservation Act of 1927, relating to the powers of districts formed under said act.

Referred to Committee on Municipal and County Government.

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of step-fathers to support needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1062—An act to amend Sections 16305, 16322, 16349, 16350, 16390, 16391, 16392, 16430, and 16451 of the Business and Professions Code, and to add Sections 16304.1 and 16320.1 thereto, relating to itinerant merchants.

Referred to Committee on Agriculture

Senate Bill No. 1212—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Referred to Committee on Industrial Relations.

Senate Bill No. 1250—An act to add Sections 262 and 263 to the Agricultural Code, relating to bovine brucellosis.

Referred to Committee on Agriculture.

Senate Bill No. 1544—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1589—An act to amend Sections 25008 and 25102 of the Corporation Code, relating to securities.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 18, 1951, after "business", strike out "any"; strike out lines 4, 5, 6, and 7, and in line 8, strike out "until said reports and certification are filed;".

Amendment No. 2

On page 2, line 30, of said bill, strike out "section", and insert "chapter".

Amendment No. 3

On page 2, line 32, of said bill, strike out all of line 32 following "code"; and strike out lines 33, 34, 35, and 36.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1814—An act to amend Sections 8604, 8608 and 9256 of, and to add Sections 8610, 8611, 8651.5, 8706, 9257, 9258, 9259, 9260, 9261, 9262 and 9263 of, and to repeal Part 4, Division 2, of the Revenue and Taxation Code, relating to state taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out lines 4 to 6, inclusive, of the title of the printed bill, as amended in the Assembly on March 26, 1951, and insert "9257, 9258 and 9655 to, the Revenue and Taxation Code, and to add Section 372.1 to the Vehicle Code, relating to the use fuel tax, the motor vehicle transportation license tax and weight fees on commercial vehicles, and providing that this act shall take effect immediately."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "8651.1", and insert "8651.5".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"8651.5. A supplemental excise tax is hereby imposed at the rate of four and one-half cents ($0.04½) per gallon on the use in any heavy motor vehicle of fuel by any user thereof."

Amendment No. 4

On page 2, line 8, of the printed bill, strike out "commercial", and insert "heavy motor".

Amendment No. 5

On page 2 of the printed bill, strike out lines 13 to 17, inclusive, and insert

"8610. "Heavy motor vehicle" means

(a) any motor vehicle having an unladen weight of 6001 pounds or more, and

(b) any truck tractor having an unladen weight of 5001 pounds or more designed, used or maintained primarily for the transportation of property."

Amendment No. 6

On page 2, line 24, of the printed bill, strike out "commercial", and insert "heavy motor".

Amendment No. 7

On page 2, line 45, of the printed bill, strike out "commercial", and insert "heavy motor".

Amendment No. 8

On page 3 of the printed bill, strike out lines 3 to 52, inclusive; and on page 4, strike out lines 1 to 11, inclusive, and insert

"9258. The board, by contract with the Department of Agriculture, may make such arrangements as may be feasible for the use of the facilities and personnel of the department's border quarantine stations in the enforcement of the provisions of this part with respect to the operations of foreign heavy motor vehicles and that department shall enforce such provisions in accordance with such contractual arrangements.

SEC. 10. Section 9655 is added to the Revenue and Taxation Code, to read:

9655. This part does not apply to operators engaged exclusively in the transportation of property.

The tax does not apply to the gross receipts derived from the transportation of

(a) property in vehicles designed, used or maintained primarily for the transportation of property, or

(b) persons in vehicles designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed by Section 8651.5 is applicable

SEC. 11. Section 372.1 is added to the Vehicle Code, to read:

372.1. (a) In lieu of the fees imposed in subdivision (c) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having not more than two axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed by Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule:

	Unladen Weight	Fee
(1)	5,001 lbs. to and including 7,000 lbs.	$10.00
(2)	7,001 lbs. to and including 8,000 lbs.	15.00
(3)	8,001 lbs. to and including 9,000 lbs.	20.00
(4)	9,001 lbs. to and including 10,000 lbs.	25.00
(5)	10,001 lbs. to and including 11,000 lbs.	30.00
(6)	11,001 lbs. to and including 12,000 lbs.	40.00
(7)	12,001 lbs. to and including 13,000 lbs.	50.00
(8)	13,001 lbs. to and including 14,000 lbs.	60.00
(9)	14,001 lbs. and over	70.00

(b) In lieu of the fees imposed in subdivision (d) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having three or more axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed under Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule:

(1)	5,001 lbs. to and including 7,000 lbs.	$15.00
(2)	7,001 lbs. to and including 8,000 lbs.	22.00
(3)	8,001 lbs. to and including 9,000 lbs.	30.00
(4)	9,001 lbs. to and including 10,000 lbs.	37.00
(5)	10,001 lbs. to and including 11,000 lbs.	45.00
(6)	11,001 lbs. to and including 12,000 lbs.	60.00
(7)	12,001 lbs. to and including 13,000 lbs.	75.00
(8)	13,001 lbs. to and including 14,000 lbs.	90.00
(9)	14,001 lbs. to and including 15,000 lbs.	105.00
(10)	15,001 lbs. and over	120.00".

Amendment No. 9

On page 4, line 12, of the printed bill, strike out "16", and insert "12".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2026?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 1 to 11, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 2026 by the following vote:

AYES—Evans, Fleury, Gaffney, and Tomlinson—4.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Elliott, Erwin, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 2026

The Speaker announced the appointment of Messrs. George D. Collins, Fleury, and Gaffney as a Committee on Conference concerning Assembly Bill No. 2026.

ANNOUNCEMENT

Mr. Beck announced that it has just been announced over the newswires that Ernest Roll, Chief Deputy in the office of the District Attorney of Los Angeles County, has succeeded the late District Attorney, the Honorable William Simpson, having just been appointed District Attorney of Los Angeles County.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3253 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Rosenthal to withdraw Assembly Bill No. 3253 from committee was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949 and Section 32951 of the Streets and Highways Code, relating to off-street parking facilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 657?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "area", and insert "capacity".

Amendment No. 2

On page 1, line 15, of said bill, as amended, strike out "area", and insert "capacity".

Amendment No. 3

On page 2, line 3, of said bill, as amended, strike out "area", and insert "capacity".

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "area", and insert "capacity"

Amendment No. 5

On page 2 of the printed bill, as amended in the Senate on May 2, 1951, between lines 8 and 9, insert

"If this section is held invalid, no existing parking facility may be acquired by an authority."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 657 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 657 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 636

Mr Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 636, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 636?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 3, 1951, strike out "the retirement of", and insert "benefits payable by retirement systems for".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 3 to 13, inclusive, and insert

"31765. Upon the death of a member who was eligible to retire, or who had 30 years or more of county service, in circumstances in which a death benefit is payable under Article 12, if the deceased member has designated as beneficiary his spouse who survives him by not less than 30 days, such surviving spouse may elect, at any time before acceptance of any benefits from the retirement system, to receive, in lieu of the death benefit otherwise payable under Article 12, the same retirement allowance as that".

Amendment No. 3

On page 1, line 16, of said bill, as amended, strike out "in lieu of the death benefit under Article 12".

Amendment No. 4

On page 1, line 17, of said bill, as amended, strike out "annuity", and insert "allowance to the surviving spouse".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 636 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 636 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 638

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendment to Assembly Bill No 638, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 638?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 30, 1951, strike out "reinstatement", and insert "his return to county service".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 638 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 638 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 639

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 639, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 639—An act to amend Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 639?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert "repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 20, inclusive.

Amendment No. 4

On page 1, lines 24 and 25, of said bill, strike out "but subsequent to the establishment of the system".

Amendment No. 5

On page 2, line 1, of said bill, strike out "who", and insert "shall have the right to receive credit in the retirement association for all or any part of the county service he rendered during the time he was in county service before becoming a member if".

Amendment No. 6

On page 2, line 2, of said bill, strike out "pays", and insert "he elects to pay, and thereafter pays, in accordance with such election, and prior to retirement.".

Amendment No. 7

On page 2 of said bill, strike out lines 3 to 6, inclusive, and insert "fund an amount equal to the contributions he would have made to the retirement fund if he had been a member during the time for which he has elected to receive credit, computed by applying the contribution rate first applicable to him upon becoming a member to the aggregate compensation he actually received during the time he was in county service and for which he has elected to receive credit, together with interest at the current rate on that amount from the time he became a member until completion of payment Such payment may be made by lump sum or by installment payments over a period not to exceed the length of time for which the member has elected to receive credit, in such manner and at such times as the board may by rule prescribe. No member shall receive credit under this section for any service for which he has not completed payment pursuant to this section before the effective date of his retirement. A member who has elected to make such payment by installment payments may complete payment thereof by lump sum payment at any time prior to the effective date of his retirement. Any sums paid by a member pursuant to this section shall be considered to be and administered as normal contributions by the member.

Where county service prior to membership was rendered on a part-time basis, the member may receive credit for such proportion of the time he held the part-time position as the time he was actu-".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 639 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 639 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 641

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 641, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 641—An act to amend Section 31627 of, and to add Sections 31469.5, 31557.5, and 31585.5 to, the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 641?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 31627", and insert "Sections 31460 and 31468".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "Sections 31469.5, 31557.5, and 31585.5", and insert "Section 31469.5".

Amendment No. 3

In line 3 of the title of said bill, strike out "retirement of".

Amendment No. 4

In line 3 of the title of said bill, strike out the period, and insert "retirement systems, and providing for the inclusion therein of officers and employees of certain organizations of public employees."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, strike out lines 1 and 2 and insert

"SECTION 1. Section 31460 of the Government Code is amended to read:

31460. (a) "Compensation" means the remuneration paid in cash out of county or district funds controlled by the board of supervisors plus the monetary value, as determined by the board, of board, lodging, fuel, laundry, and other advantages furnished to a member in payment for his services.

(b) In respect to employees of districts as defined in [subdivision (e)] *subdivisions (c) and (d)* of Section 31468, "compensation" means the remuneration paid in cash out of funds of the district plus the monetary value, as determined by the board, of board, lodging, fuel, laundry, and other advantages furnished to a member in payment for his services.

SEC. 2. Section 31468 of said code is amended to read:

31468. (a) "District" means a district, other than school district, formed under the laws of the State, and required by law to deposit its funds in the county treasury.

(b) "District" also includes any institution operated by two or more counties, in one of which there has been adopted an ordinance placing this chapter in operation.

(c) "District" also includes any organization or association authorized by Chapter 26, Statutes of 1935, as amended by Chapter 30, Statutes of 1941, or by Section 50024 of this code, which organization or association is maintained and supported entirely from funds derived from counties, and the board of any retirement system is authorized to receive the officers and employees of such organization or association into the retirement system managed by the board

(d) "District" also includes any organization of public employees not less than one-half of the members of which are members of the county employees' retirement association, and the membership of which includes at least one-half of the members of the county employees' retirement association.

SEC. 3. Section 31469.5 is added to said code, to read:".

Amendment No. 6

On page 1 of said bill, strike out line 4, and insert "person employed by a district as defined in subdivision (d) of Section 31468 and whose compensation is paid from funds of the district."

Amendment No. 7

On page 1 of said bill, strike out lines 5 to 25, inclusive; and on page 2, strike out lines 1 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 641 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No 641 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 742

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendment to Assembly Bill No. 742, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 742—An act to amend Sections 31679 and 31681 of the Government Code, relating to retirement systems.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 742?

Amendment No. 1

On line 15 of the printed bill, as amended, strike out, beginning with "Each", through and including "1947", on line 18.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 742 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 742 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 99

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 99, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

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

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 99?

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Assembly on March 28, 1951, strike out the period, and insert "; or any trap or skeet club which is a nonprofit organization having at least three permanent trap houses or two permanent skeet fields and having at least 100 members, which is organized and operated according to accepted national regulations and which has been for a period of at least one year certified, either by a national trap or skeet association operating actively in at least 25 states or by one operating actively in all three West Coast states, as eligible to hold regular trap or skeet shoots, and which has been in existence for more than one year, and which owns, leases, operates or maintains the land upon which said trap houses or skeet fields are located and a club house adjacent to said trap houses or skeet fields."

Amendment No. 2

On page 2 of said bill, as amended, between lines 35 and 36, insert

"(h) Any society or association which has been in existence for not less than twenty (20) years which is nonsectarian and nonpolitical and the purpose of which is to provide social and cultural benefits to its members, who must be American citizens or have signified their intention of becoming citizens, are not less than one hundred (100) in number, which is affiliated with a state-wide organization of similar societies or associations, and which owns the premises where it maintains a club room or rooms for its members, and where admission to the club room or rooms is restricted to members and their bona fide guests, and which has operated or maintained such club room or rooms for not less than one year.

(i) Any bona fide nonprofit corporation, which is a bona fide horse riding club and which has more than 25 bona fide regular members which owns, maintains or operates a regular riding club together with a clubhouse thereon and has operated such establishment for not less than five years.

(j) Any social club which is a nonprofit organization and which is organized and operated for the purposes of maintaining, restoring or preserving historical monuments, landmarks or buildings, which said club or organization has more than 150 bona fide members paying regular monthly dues and which club or organization owns its own clubhouse and the real property upon which the clubhouse is situated, and which said clubhouse and/or real property constitute an historical monument, landmark or building."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 99 by the following vote:

AYES—Belotti, Brady, Condon, Cooke, Crowley, Dickey, Dolwig, Gubser, Hinckley, Hollibaugh, Kelly, Lyon, Maloney, McCollister, Morris, Stanley, and Thomas—17.

NOES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—49.

Appointment of Committee on Conference Concerning Assembly Bill No. 99

The Speaker announced the appointment of Messrs. McCollister, Doyle, and Lyon as a Committee on Conference concerning Assembly Bill No 99.

Explanation of Vote on Assembly Bill No. 99

I voted in favor of concurrence in Senate amendments on this bill in order to have an opportunity to be appointed to the "Free Conference Committee"

G. DELBERT MORRIS

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 188

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 188, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 188

In compliance with a notice given on a previous day, Mr. Thomas moved that the vote whereby Assembly Bill No. 188 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stanley moved a call of the Assembly

Motion carried. Time, 10.58 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Cloyed, Coats, Evans, Gubser, Kilpatrick, and Niehouse—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hinckley asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were ordered printed in the Journal, without action at this time:

Amendments Proposed by Committee on Ways and Means

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 10, 1951, strike out "and".

Amendment No. 2

In line 7 of the title of said bill, after "code," insert "and to add Part 12, comprising Sections 27000 to 28179, inclusive, to Division 2 of the Revenue and Taxation Code,".

Amendment No. 3

On page 26 of said bill, between lines 18 and 19, insert

"SEC. 9. Part 12, comprising Sections 27000 to 28179, inclusive, is added to Division 2 of the Revenue and Taxation Code, to read:

PART 12. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

27000. This part is known and may be cited as the "Cigarette Tax Law."

27001. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

27002. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

27003. "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district, or other political subdivision thereof or any other group or combination acting as a unit and also an executor, administrator, receiver, trustee or other fiduciary.

27004. "Sale" and "sold" mean any transfer, exchange, or barter, with or without compensation, in any manner or by any means whatever.

27005. "Package" means the individual package, box, or other container in or from which retail sales of cigarettes are normally made or intended to be made.

27006. "Vendor" means any person who comes into possession of cigarettes for the purpose of sale, use or distribution within this State.

27007. "Agent" means any person authorized by the board to purchase and affix adhesive or meter stamps under this part

27008. "Stamp" means the stamp or stamps authorized by the board, by use of which the tax levy under this part is paid.

27009. "Board" means the State Board of Equalization.

CHAPTER 2. IMPOSITION OF TAX

27050. From and after the first day of July, 1951, there is hereby levied, and there shall be collected as provided in this part, an excise tax upon all cigarettes

possessed in this State by any person for sale, use, consumption, handling or distribution in an amount equal to three cents ($0.03) for each 20 cigarettes or fraction thereof.

27051. Cigarettes sold under such circumstances that this State is without power to impose such tax or sold to or by a voluntary unincorporated organization of army or navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy are exempted from the taxes imposed by this part.

27052. Any vendor engaged in interstate business who shall furnish surety bond in a sum satisfactory to the board may set aside such part of his stock as may be necessary for the conduct of such interstate business without affixing the stamps required under this part. Such interstate stock shall be kept separate and apart from all other stocks of cigarettes. Such vendor shall at the time of shipping or delivering any cigarettes make a true and duplicate invoice of the same which shall show full and complete details of the sale or delivery and shall retain the same subject to the use and inspection of the board.

27053. It shall be presumed for the purposes of this part that all cigarettes manufactured in this State, delivered to or possessed by any person on and after July 1, 1951, are subject to tax under this part until the contrary is established, and the burden of proof that any cigarettes are not taxable under this part shall be upon the person claiming the exemption.

CHAPTER 3. PAYMENT OF TAX

27075. Vendors and agents shall be liable to the State as taxpayers for the payment of the tax imposed under this part and shall pay the tax by purchasing adhesive or meter stamps from the board of such design and denomination as it may prescribe

27076. Every vendor within 24 hours of the receipt of any cigarettes shall cause to be affixed on every package of such cigarettes on which the tax required under this part has not previously been paid as evidenced by stamps affixed thereto, stamps of an amount equal to the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes or distributes such cigarettes in this State.

27077. Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of tax upon the contents therein, and shall be affixed in such manner as to be visible to the purchaser and that they cannot be removed from the package or container without being mutilated or destroyed.

27078. The board may require returns to be filed with it at such times and containing such information as it may prescribe.

27079 The board shall prescribe, prepare and furnish stamps of such denominations and quantities as may be necessary for the payment of the tax imposed by this part, and may from time to time and as often as it deems advisable provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design The board shall make provisions for the sale of such stamps at such places and at such times as it may deem necessary.

27080. The board may appoint dealers in cigarettes, manufacturers of cigarettes, and other persons within or without the State as agents to buy or affix stamps to be used in paying the tax required under this part. An agent shall at all times have the right to appoint the person in his employ who is to affix the stamps to any cigarettes under the agent's control. Whenever the board shall sell and deliver stamps to any such agent, he shall be entitled to receive as compensation for his services and expenses as such agent in purchasing and affixing the stamps, and to retain out of the money to be paid by him for the stamps, a commission on the par value thereof. The board may prescribe a schedule of commissions, not exceeding 3 per centum allowable to such agent for buying and affixing such stamps. Such schedule shall be uniform with respect to the different types of stamps used, and may be on a graduated scale with respect to the number of stamps purchased.

27081. The board may, in its discretion, permit an agent to pay for such stamps within 30 days after the date of purchase provided a bond satisfactory to the board in an amount not less than the sale price for such stamps shall have been filed with the board conditioned upon payment for the stamps

27082. The board may authorize the use of meter stamping machines for imprinting stamps, which imprinted stamps shall be in lieu of those otherwise provided for in this part, and shall prescribe reasonable rules and regulations with respect to the use thereof

CHAPTER 4. RECORDS

28000 At the time of delivering cigarettes to any person in this State each agent shall make a true duplicate invoice showing the date of delivery, the number of packages and number of cigarettes contained therein, in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made, and shall retain the same for a period of three years subject to the use and inspection of the board

28001 Each vendor shall procure and retain invoices showing the number of packages and number of cigarettes contained therein, in each shipment of cigarettes received by him, the date thereof, and the name of the shipper, and shall retain the same for a period of three years subject to the use and inspection of the board.

28002. The board by regulation may provide that whenever cigarettes are shipped into the State, the railroad company, express company, trucking company or other public carrier transporting any shipment thereof shall file with the board a copy of the freight bill within 10 days after the delivery in the State of each shipment All vendors shall maintain and keep for a period of three years such other records of cigarettes received, sold or delivered within the State as may be required by the board.

28003. Every person who shall possess or transport any unstamped packages of cigarettes shall be required to have in his actual possession invoices or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a vendor in this State and subject to the provisions of this part.

CHAPTER 5. DETERMINATIONS

28025. If any person fails to pay the tax required under this part the board shall make an estimate of the quantity of cigarettes sold, used, consumed, handled or distributed by such person in this State on which the tax was not paid The estimate shall be based upon any information which is in the board's possession or may come in its possession Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty of an amount equal to the total tax computed, and interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment.

28026. Promptly after making its determination the board shall give to the person written notice of the estimate, determination, and penalty, the notice to be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure.

CHAPTER 6. COLLECTIONS

Article 1. Seizure and Sale

28050. Whenever the board shall discover any cigarettes, subject to tax under this part, and upon which the tax has not been paid or the stamps affixed as herein required, it is hereby authorized and empowered to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale. Such seized cigarettes, vending machine or receptacle shall be deemed to be forfeited to the State

28051 The board may, within a reasonable time after a seizure of cigarettes pursuant to this chapter, by a public notice at least five days before the day of sale, sell such forfeited cigarettes at a place to be designated by it and from the proceeds of such sale shall collect the tax due thereon and all other unpaid cigarette taxes found to be due from the vendor by the board together with a penalty of an amount equal to the taxes due and interest at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment and the costs incurred in such proceedings The board shall pay the balance, if any, to the person in whose possession such forfeited cigarettes were found

28052. The board, in lieu of the sale of cigarettes as provided in this chapter, may permit the person from whom any cigarettes were seized to redeem the cigarettes, and any vending machine or receptacle seized therewith, by the payment of the taxes due together with a penalty of an amount equal to the tax due thereon, interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment, and the costs incurred in such proceeding, which total payment shall not be less than five dollars ($5).

28053. The seizure and sale or redemption of cigarettes shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this part

28054 When the board has good reason to believe that any cigarettes are being kept, sold, or offered for sale, in violation of the provisions of this part or its regulations it may make an affidavit of such fact, describing the place or thing to be searched, before any justice of peace, or judge of any court in this State, and such justice or judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the board commanding him diligently to search any building, room, place, or vehicle as may be designated in the affidavit and search warrant, and to seize such cigarettes so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the cigarette, unlawfully possessed, were seized, the same shall be sold as provided in this part.

Article 2. Civil Action

28075. If any person is delinquent in the payment of any obligation imposed under this part, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State

28076 In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required

28077. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax,

interest and penalties set forth in the certificate, and of compliance by the board with all provisions of this part in relation to the assessment of the property and computation and levy of the tax.

CHAPTER 7 REFUNDS

28100. The board may issue regulations providing for the refund to agents and vendors of the cost of stamps affixed to packages of cigarettes, which by reason of damage become unfit for sale or use and are destroyed by the vendor or agent, or are returned to the manufacturer or jobber In the case of any packages to which stamps have been affixed, and which packages have been sold and shipped to a regular dealer in cigarettes in another state, the seller in this State shall be entitled to a refund of the actual amount of the stamps so affixed, upon condition that the seller in this State shall file an affidavit that the packages were sold and shipped outside of the State and that he has received from the purchaser outside the State a written acknowledgment that he has received such packages with the amount of stamps affixed thereto, together with the name and address of such purchaser No refund shall be made under this section unless the stamps so affixed for which the refund is claimed have been marked void by the seller in this State with the name and address of the seller stamped thereon

28101. The board is authorized to redeem any unused stamps purchased from it at the face value thereof less any discount allowed upon their purchase, as an agent's commission.

28102. No person shall sell or offer for sale any stamp or stamps issued under this part except by written permission of the board

CHAPTER 8. ADMINISTRATION

28125. The board shall enforce the provisions of this part and may issue regulations relating to the administration and enforcement of this part.

28126. The board may employ accountants, auditors, investigators, assistants and clerks necessary for the efficient administration of this part.

28127. Every person dealing in, transporting or storing cigarettes in the State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto, and in such form, as the board may require.

28128. The board or its authorized representative may examine the books, records, papers, stock in trade, and equipment of any person dealing in, transporting, or in possession of, cigarettes, and may investigate the character of the disposition which such person makes of the cigarettes in order to ascertain whether all excise taxes due under this part have been properly paid

28129. It is unlawful for the board of any person having an administrative duty under this part to make known in any manner whatever other than in the discharge of official duties the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of an official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any report or copy thereof, or any book containing any abstract or particulars thereof to be seen or examined by any person. However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government if a reciprocal arrangement exists, or by any other person.

CHAPTER 9. DISPOSITION OF PROCEEDS

28150 All moneys and remittances received by the State Board of Equalization in pursuance of the provisions of this act shall be transferred promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller. All moneys so received and so transmitted shall be deposited in the State Treasury and credited to the "Cigarette Tax Fund," which fund is hereby created, to be used for the expenses of the board in administering this act At the end of each fiscal year the surplus remaining in such fund shall be transferred to the General Fund If at any time the Legislature shall appropriate funds for the expenses of the board in administering this act then all money received by the board under this act and transmitted to the State Treasurer shall be deposited in the General Fund.

CHAPTER 10. VIOLATIONS

28175. It is a felony for any person falsely or fraudulently to make, forge, alter or counterfeit any stamp prescribed by the board under the provisions of this part, or to cause or procure to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or to knowingly and wilfully use, utter, purchase, pass or tender as true any such false, altered or counterfeited stamp.

28176. It is a misdemeanor for any person to fail, neglect, or refuse to comply with, or to violate any provision of this part or any regulation issued by the board under this part.

28177. It is a misdemeanor for any person to possess or transport unstamped packages of cigarettes in this State for the purpose of sale, or to sell or offer for sale unstamped packages of cigarettes in violation of the provisions of this part

28178. All agents, employees and others who aid, abet, or otherwise participate in any way in the violation of the provisions of this part, shall be guilty and punishable as principals.

28179. It is presumed that persons other than vendors and agents who purchase or receive shipments of unstamped cigarettes do so to avoid payment of the tax imposed under this part.

SEC. 11. It is the intent of the Legislature in enacting Part 12 of Division 2 of the Revenue and Taxation Code that the proceeds of the taxes levied by that part shall be devoted to the support of public education as provided in Chapters 2, 12, 14, 15, and 16 of Division 3 of the Education Code to the extent that such cost is not required to be provided for by Section 6 of Article IX of the Constitution and for the payment of interest and principal of any bonds issued pursuant to Section 15 of Article XVI of the Constitution. This section shall not be construed to set aside in any manner the specific proceeds of the taxes levied under Part 12, but such proceeds shall be applied as provided in Section 28150 of the Revenue and Taxation Code."

Amendment No. 4

On page 26, line 19, of said bill, strike out "9", and insert "10".

Amendment No. 5

On page 21, line 35, of said bill, strike out "to", and insert "during".

Amendment No. 6

On page 21 of said bill, between lines 36 and 37, insert

"For the purposes of this section: (1) in making any computation under Section 7091, the assessed valuation in the district as shown by the equalized assessment roll of the district for the current school year shall be used in lieu of the assessed valuation prescribed by said section and (2) Sections 7104 and 7105 shall not be applicable."

Amendment No. 7

On page 26, line 15, of said bill, strike out "and", and insert "if".

Amendment No. 8

On page 6 of said bill, strike out lines 10 and 11, and insert "determining the total current expenses of a district for transportation."

Amendment No. 9

On page 6 of said bill, strike out lines 14 and 15, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7037."

Amendment No. 10

On page 6 of said bill, strike out line 18, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Assembly Bill No. 1985 ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 59: By Messrs. Hawkins and Dunn—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

Referred to Committee on Rules.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Cooke and Maloney as a Select Committee to escort Rear Admiral Bertram J. Rodgers, U.S.N., Commandant of the 12th Naval District, to the rostrum.

RECESS

At 11 a.m., on motion of Mr. Cooke, the Assembly recessed until 11.05 a.m. to hear remarks from Rear Admiral Bertram J. Rodgers, U.S.N., Commandant of the 12th Naval District.

REASSEMBLED

At 11.05 a.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1985

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 1752
Assembly Bill No. 2374
Assembly Bill No. 3392

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 3310
Assembly Bill No. 3311

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 1568
Assembly Bill No. 3060
Assembly Bill No. 3307

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 59

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

DICKEY, Chairman

Request for Unanimous Consent

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 59, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 59

Assembly Concurrent Resolution No. 59—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

Resolution read.

Request for Unanimous Consent That Names of All Members Present, So Desiring, Be Placed Upon Assembly Concurrent Resolution No. 59 as Co-authors

Mr. Hawkins asked for, and was granted, unanimous consent that the names of all members present, so desiring, be placed upon Assembly Concurrent Resolution No. 59 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of Assembly Concurrent Resolution No. 59:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, Thomas, and Waters—55.

Further Consideration of Assembly Concurrent Resolution No. 59

Assembly Concurrent Resolution No. 59: By Messrs. Hawkins, Dunn, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, Thomas, and Waters—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Notice of Motion to Reconsider Assembly Concurrent Resolution No. 59

Mr. McGee gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was this day adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2052—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2052?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 19, 1951, after "required", insert ", except that this section shall not apply to sport fishing in ocean waters nor to commercial fishing".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2052 by the following vote:

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

NOES—None.

Assembly Bill No. 2052 ordered enrolled.

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301.5, 3301.6, 3301.7, 3301.8, 6403.5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2724?

Amendment No. 1

On page 2, line 29, of the printed bill, as amended in the Assembly on March 29, 1951, after "to", insert "this".

Amendment No. 2

On page 2, line 30, of said bill, as amended, strike out "3301 or 6403".

Amendment No. 3

On page 7 of said bill, as amended, strike out lines 8 to 31, inclusive, and insert

"6500 Delivery by hand of a copy of any process against a foreign corporation (a) to the president or other head of the corporation, a vice president, a secretary, an assistant secretary, the general manager in this State, or if the corporation be a bank to a cashier or an assistant cashier, (b) to any natural person designated by it as agent for the service of process, or (c), if the corporation has designated a corporate agent, at the office of such corporate agent in the city, town or village named in the statement filed by the corporation pursuant to Section 6403 to any person at such office named in the certificate of such corporate agent filed pursuant to Section 3301.5 or 6403.5, if such certificate has not been superseded, or otherwise to any person at such office named in the last certificate filed pursuant to Section 3301.6 or 6403.6, shall constitute valid service on the corporation."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2724 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 2724 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hahn, Beck, Rosenthal, and Munnell:

House Resolution No. 138

Relative to the appointment of Ernest Roll as District Attorney of Los Angeles County

WHEREAS, The Board of Supervisors of Los Angeles County did this day appoint a new district attorney by reason of the death of William Simpson, the incumbent; and

WHEREAS, Ernest Roll, Chief Deputy in the office of the district attorney, was selected by the board of supervisors for this appointment, because of his outstanding performance in exercising the responsibilities of chief deputy; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof hereby extend to Ernest Roll their congratulations upon his appointment; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Ernest Roll, District Attorney of Los Angeles County.

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 138

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

DICKEY, Chairman

Request for Unanimous Consent

Mr. Hahn asked for, and was granted, unanimous consent to take up House Resolution No. 138, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 138

By Messrs. Hahn, Beck, Rosenthal, and Munnell:

House Resolution No. 138

Relative to the appointment of Ernest Roll as District Attorney of Los Angeles County

WHEREAS, The Board of Supervisors of Los Angeles County did this day appoint a new district attorney by reason of the death of William Simpson, the incumbent; and

WHEREAS, Ernest Roll, Chief Deputy in the office of the district attorney, was selected by the board of supervisors for this appointment, because of his outstanding performance in exercising the responsibilities of chief deputy; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof hereby extend to Ernest Roll their congratulations upon his appointment; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Ernest Roll, District Attorney of Los Angeles County.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1198

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1198, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1198—An act to amend Section 803.5 of the Agricultural Code, relating to nectarine standards, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1198?

Amendment No. 1

In line 2 of the title of the printed bill, after "nectarine", insert "and pear".

Amendment No. 2

On page 2 of said bill, between lines 26 and 27, insert

"SEC. 2. Section 828.45 of said code is amended to read:

828.45.

28	Special sawdust pack chest	$7\frac{3}{4}$	$14\frac{15}{16}$	$18\frac{5}{8}$
29	Special sawdust pack lug	$7\frac{3}{4}$	$13\frac{1}{2}$	$16\frac{1}{8}$
29A	Special lug box	$6\frac{1}{2}$ *or* $7\frac{3}{16}$	$13\frac{1}{2}$	$20\frac{5}{8}$
30	Special lug box	$8\frac{1}{2}$	14	$22\frac{3}{4}$
30A	Special lug box	$4\frac{7}{8}$	15	$22\frac{1}{8}$

Container number 29A with an end piece $7\frac{3}{16}$ inches in depth shall be considered standard only when the inside depth of the container to the top of the side pieces or slats is $6\frac{1}{2}$ inches and when cleats are not placed on top of the end pieces."

Amendment No. 3

On page 2, line 27, of said bill, strike out "2", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1198 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1198 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 16—An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 6, 1951, strike out ", particularly".

Amendment No. 2

On page 1, line 7, of said bill, strike out the comma.

Amendment No. 3

On page 1, line 15, of said bill, strike out "an air pollution research project", and insert "a research project as to the effect of air pollution on public health".

Amendment No. 4

On page 1, line 16, of said bill, strike out "an executive officer", and insert "a research director".

Amendment No. 5

On page 1 of said bill, strike out lines 21 to 23, inclusive, and insert "all existing information and shall conduct a program of continued research relative to the".

Amendment No. 6

On page 2, line 6, of said bill, strike out "Council", and insert "Commission".

Amendment No. 7

On page 2, line 7, of said bill, strike out "or their nominees".

Amendment No. 8

On page 2 of said bill, strike out lines 10 to 25, inclusive, and insert

"(c) The Director of Industrial Relations;

(d) Two members of the medical profession;

(e) Two representatives of industry;

(f) One representative of the Conference of Local Health Officers;

(g) Four persons, one from each of four different California institutions engaged in research;

The members described in paragraphs (d) (e) (f) and (g) shall be appointed by the Governor and shall serve at his pleasure."

Amendment No. 9

On page 2, line 26, of said bill, strike out "executive officer", and insert "research director".

Amendment No. 10

On page 2, line 27, of said bill, strike out "council", and insert "commission".

Amendment No. 11

On page 2, line 29, of said bill, strike out "council", and insert "commission".

Amendment No. 12

On page 2, line 33, of said bill, strike out "council", and insert "commission".

Amendment No. 13

On page 2, line 38, of said bill, following "to", insert "such".

Amendment No. 14

On page 2, line 39, of said bill, strike out "council", and insert "commission".

Amendment No. 15

On page 2 of said bill, strike out lines 40 to 43, inclusive, and insert "Health, shall appoint a research director of the project, who shall be experienced in the field of human toxicology, at an annual salary not to exceed twelve thousand dollars ($12,000) who shall be exempt from civil service and shall serve in a confidential capacity and at the pleasure of the commission."

Amendment No. 16

On page 2, line 46, of said bill, strike out "Council the executive officer", and insert "Commission the research director".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3033

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 610

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

McMILLAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No 2421

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3070

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

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2420

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1748

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

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 58

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Joint Resolution No. 8

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 136

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 962
Assembly Bill No. 2207
Assembly Bill No. 2512

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 759
Assembly Bill No. 2907

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 250

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

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 516
Assembly Bill No. 884
Assembly Bill No. 991

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2502

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

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2261

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

GEDDES, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1368

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

BROWN, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1610

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider vote on Senate Bill No. 1610, temporarily passed on the unfinished business file, out of order, at this time.

RECONSIDERATION OF SENATE BILL NO. 1610

In compliance with a notice given on a previous day, Mr. Hollibaugh moved that the vote whereby Senate Bill No. 1610 was refused passage be reconsidered.

Senate Bill No. 1610 reconsidered by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Gubser, Hahn, Hollibaugh, Kelly, Klocksiem, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, Waters, and Mr. Speaker—43.

NOES—Beck, Burkhalter, Chapel, George D. Collins, Condon, Elliott, Geddes, Hagen, Hawkins, Henderson, Hinckley, Levering, Lincoln, McFall, McMillan, and Shaw—16.

Senate Bill No. 1610 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

Bill read third time.

Motion to Amend

Mr. Brady moved the adoption of the following amendments:

Amendment No. 1

On page 70, line 3, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "and no longer", and insert "not".

Amendment No. 2

On page 70, line 25, of said bill, after the period, insert

"In making a determination upon any such petition for exclusion of lands the board and the State Engineer shall exercise their own independent judgment as to whether the lands described in the petition for exclusion will be substantially benefited by remaining in the district, and neither the board nor the State Engineer shall be bound or controlled, directly or indirectly, by the findings of the Legislature in this act with respect thereto."

Amendments read.

Question of Personal Privilege

Mr. Hagen arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled the question of personal privilege not well taken.

The roll was called, and the amendments offered by Mr. Brady to Assembly Bill No. 340 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Coats, George D. Collins, Condon, Connolly, Crowley, Dickey, Elliott, Fleury, Hagen, Henderson, Hollibaugh, Lowrey, Maloney, McFall, McMillan, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, and Shaw—25.

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—41.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 59, line 30, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "only", and insert "all or".

Amendment read.

Amendment Withdrawn

Mr. Brady withdrew his amendment.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 11, of the corrected printed bill, as amended in the Assembly on May 3, 1951, after line 52, insert

"Nothing in this act contained shall authorize or be deemed to authorize or permit the Kings River Conservation District to control, regulate, divert, conserve, store or take any water or waters lying or flowing beneath the surface of the land, either within the boundaries of the district or elsewhere, except such water as the district itself may lawfully acquire by purchase, gift or condemnation, as herein provided."

Amendment read.

Speaker Pro Tempore Presiding

At 11.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

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

The roll was called, and the amendment offered by Mr. Brady refused adoption by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dunn, Elliott, Fleury, Hagen, Hawkins, Henderson, Hollibaugh, Lowrey, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, and Shaw—27.

NOES—Babbage, Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Conrad, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments
Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 66, line 9, of the printed bill, as amended in the Assembly on May 3, 1951, after the period, insert

"Each such tax shall be levied on such lands in proportion to the benefits derived or to be derived by such lands from the project and facilities constructed or acquired with the proceeds of such bonds or under the terms of such contract, and such benefits shall be apportioned among such lands by three disinterested commissioners to be appointed by the State Engineer upon request of the board."

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Dills, Dunn, Elliott, Hagen, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—20

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—47.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments
Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 71 of the printed bill, as amended in the Assembly on May 3, 1951, between lines 23 and 24, insert

"SEC. 42.5. If any irrigation district, water storage district, or other district or any individual, association, mutual water company, or corporation owning water rights upon the Kings River shall at any time more than three years after the effective date of this act file a petition with the board setting forth (a) that the petitioner has not made any contract with the Kings River Conservation District or with the United States for the use or acquisition of storage space in the Pine Flat Reservoir on the Kings River, (b) that the petitioner does not desire or intend to make any such contract, (c) that the petitioner desires that all lands owned by the petitioner and all lands served by the petitioner with water obtained by petitioner from the Kings River, which lands shall be described in the petition, shall be excluded from the Kings River Conservation District, and (d) that the owners of at least two-thirds in area and two-thirds in assessed value of said lands so served by petitioner have consented to the exclusion of said lands from the Kings River Conservation District, then, within 50 days after the filing of such petition the board shall make an order that the lands described in said petition be excluded from the district. From the time of the making of such order the lands so excluded shall be deemed no longer included in the Kings River Conservation District, but such order of exclusion shall not invalidate in any manner any tax theretofore levied against the lands so excluded under the provisions of Section 37 of this act for the year in which such order is made. The president and secretary of the board shall certify that such order has been adopted to the Secretary of State and to the county recorder of each county within which any portion of said district is located. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the adoption of such order and the exclusion of the area from the district. A copy of such certificate shall be transmitted to and filed with the county clerk of each county in which any portion of the district is situated."

Amendment read.

Motion to Table Amendment

Mr. Collier moved that the amendment being offered by Mr. Brady to Assembly Bill No. 340 be laid upon the table.

Point of Order

Mr. Doyle arose to the following point of order: That the amendment being discussed has not been read, and is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Dunn arose to the following point of order: That the motion by Mr. Collier is not in order as Mr. Brady has the floor and the Rules state that two people may not be given the floor at the same time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Brady.

Motion to Table Amendment

Mr. Collier moved that the amendment just offered by Mr. Brady to Assembly Bill No. 340 be laid upon the table.

Mr. Levering seconded the motion.

Roll Call Demanded

Messrs. Lowrey, Brady, and Hagen demanded a roll call.

The roll was called, and the motion by Mr. Collier lost by the following vote:

AYES—Belotti, Brown, Burke, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Dolwig, Erwin, Geddes, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, McCollister, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—34.

NOES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Hagen, Hawkins, Henderson, Klocksiem, Lowrey, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—37.

The question being on the adoption of the amendment offered by Mr. Brady to Assembly Bill No. 340.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dunn, Elliott, Fleury, Hagen, Henderson, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—28.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—45.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 49 of the printed bill, as amended in the Assembly on May 3, 1951, strike out lines 24 to 29, inclusive, and insert

"SEC. 24. Only the holders of title or evidence of title to lands situated within the district shall be entitled to vote at any election under this act, and every such

holder of title or evidence of title shall be entitled to vote, in person or as hereinafter provided, in each precinct in which any of the lands so owned by him and affected by such election are situated and to cast one vote for each one hundred dollars ($100), or fraction thereof, worth of such land exclusive of improvements, minerals, and mineral rights therein so owned by him. The title to and value of land shall be determined by the county assessment roll last equalized at the time of the election in the county in which such land is situated Each male or female voter over the age of 21 years shall be entitled to vote in person or by proxy. Any guardian, administrator, or executor, of a person or estate owning land within the district shall be considered the holder of title or evidence of title to such lands for the purposes of this act, where the owner in fee is not entitled to vote. Any corporation holding title or evidence of title to lands within the district shall be entitled to vote as such land owner through any officer or agent thereunto duly authorized in writing under the seal of the corporation. No person shall vote by proxy unless his authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as grants of real property and filed with the board of election Except as herein otherwise provided, the provisions of the Elections Code relating to the qualifications of voters, the manner of voting, the duties of election officers, the canvassing of returns and all other particulars with respect to the management of general elections so far as may be applicable shall govern all district elections; provided, however,"

Amendment read.

Amendment Withdrawn

Mr. Brady withdrew his amendment

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Hagen moved the adoption of the following amendments:

Amendment No. 1

On page 54, line 48, of the printed bill, as amended, in the Assembly on May 3, 1951, after "use", insert "; but no prescriptive right shall be acquired in ground water by use adverse to the rights of beneficial use on the land under which said water is or flows".

Amendment No. 2

On page 56, line 1, of said bill, strike out "recapturing,".

Amendment No. 3

On page 57 of said bill, strike out lines 34 to 40, inclusive, and insert "fixed by the board and the owner; and the district may contract with".

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hagen moved a call of the Assembly.

Motion carried. Time, 12.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Dickey, Evans, Hawkins, Hollibaugh, Kilpatrick, and Niehouse—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 188

At 12.39 p.m., on motion of Mr. Stanley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 188 refused reconsideration by the following vote:

AYES—Berry, Brady, George D. Collins, Condon, Crowley, Dills, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Klocksiem,

Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Thomas, and Tomlinson—38.

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad Cooke, Davis, Dickey, Dolwig, Erwin, Fleury, Geddes, Hahn, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, McCarthy, McGee, Rosenthal, Sherwin, Smith, Stanley, Stewart, Waters, and Mr Speaker—36.

Assembly Bill No. 188 ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Speaker Pro Tempore Presiding

At 12 45 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3342—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Bill read third time.

Speaker Presiding

At 1.04 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Kirkwood, Hinckley, Burke, Silliman, and Gaffney demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3342.

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

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Klocksiem, Luckel, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, and Mr. Speaker—41

NOES—Babbage, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Erwin, Grant, Grunsky, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Sherwin, Silliman, Smith, Tomlinson, and Waters—31.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1490—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2725—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1981—An act to amend Section 43 of the Public Utilities Act, relating to public utilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 27, inclusive; and on page 2, strike out lines 1 to 51, inclusive, and insert

"SEC. 9.5. The officers and attaches of the municipal court in a city, or city and county of the second and one-fourth class shall receive compensation as follows:

(a) There shall be one clerk, who shall also serve as secretary, to be appointed by the judges of the court, who shall receive [four hundred fifty dollars ($450)] *seven hundred dollars ($700)* per month;

(b) The clerk may appoint the following:

One chief deputy clerk, who shall receive [three hundred seventy-five dollars ($375)] *five hundred dollars ($500)* per month.

One deputy clerk (chief clerk of the civil division), who shall receive four hundred dollars ($400) per month;

One deputy clerk (chief clerk of the criminal division), who shall receive four hundred dollars ($400) per month;

One deputy clerk (chief clerk of the traffic division), who shall receive four hundred dollars ($400) per month;

[Eight] *Ten* deputy clerks [(court clerks)], each of whom shall receive [three hundred ten dollars ($310)] *three hundred sixty dollars ($360)* per month;

[One deputy clerk (supervising clerk), who shall receive three hundred thirty-five dollars ($335) per month;]

[One deputy clerk (senior account clerk), who shall receive two hundred eighty-five dollars ($285) per month;]

[Two] *Four* deputy clerks [(junior court clerks)], each of whom shall receive [two hundred fifty dollars ($250)] *three hundred twenty-five dollars ($325)* per month;

[Four] *Ten* deputy clerks [(bail clerks)], each of whom shall receive [two hundred fifty dollars ($250)] *three hundred dollars ($300)* per month;

Six deputy clerks, each of whom shall receive two hundred seventy-five ($275) per month;

[Nine] *Six* deputy clerks [(general clerks)], each of whom shall receive [two hundred thirty dollars ($230)] *two hundred fifty dollars ($250)* per month;

[Seven] *Nine* [deputy clerks (junior clerks)] *typists*, each of whom shall receive [two hundred dollars ($200)] *two hundred twenty-five dollars ($225)* per month;

(c) There shall be one marshal to be appointed by the judges of the court who shall receive [four hundred fifty dollars ($450)] *seven hundred dollars ($700)* per month;

(d) The marshal may appoint the following:

One assistant marshal, who shall receive [three hundred seventy-five ($375)] *five hundred dollars ($500)* per month;

One chief deputy marshal, who shall receive [three hundred fifty dollars ($350)] *four hundred dollars ($400)* per month;

[Four] *Seven* deputy marshals, Grade 1, each of whom shall receive [three hundred ten dollars ($310)] *three hundred sixty dollars ($360)* per month;

[Seven] *Ten* deputy marshals, Grade 2, each of whom shall receive [two hundred ninety-five dollars ($295)] *three hundred forty-five dollars ($345)* per month;

[One deputy marshal (bookkeeper) who shall receive two hundred ninety-five dollars ($295) per month;]

[One] *Two* [deputy marshal (stenographer)] *stenographers*, [who] *each of whom* shall receive [two hundred fifty dollars ($250)] *two hundred seventy-five dollars ($275)* per month;

(e) There shall be one court matron, who shall also serve as court probation officer, to be appointed by the judges of the court, who shall receive [two hundred fifty dollars ($250)] *two hundred seventy-five dollars ($275)* per month;

[Any person who has been in the same class for two and one-half years shall receive the maximum salary for that class.]

The appointing authority, which appointing authority within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from an eligible list provided for that purpose, [may fix the compensation of such employee, within the limits hereinbefore set forth for the position to which appointment is made, and may thereafter grant increases in compensation within such limits upon the basis of efficiency and seniority records, all in strict conformity with existing rules and regulations of the city civil service commission The appointing authority] shall [further] have the power to lay off and suspend an employee or employees because of lack of work requiring the service of the existing personnel of such office or department

Any appointive officer or employee of the municipal court in cities or cities and counties of the second and one-fourth class who becomes a candidate for election by the people to any other public office or position shall automatically forfeit such office or employment"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1369—An act providing for the constitution of the municipal court in a district embracing the City of Palo Alto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments

(2) There shall be one clerk who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12), and twelve dollars ($12) to a maximum of three hundred three dollars ($303), monthly

The clerk may appoint one deputy (court clerk) at a minimum salary of two hundred twenty-five dollars ($225) monthly with annual increments of ten dollars ($10), eleven dollars ($11), ten dollars ($10), and eleven dollars ($11) to a maximum of two hundred sixty-seven dollars ($267), monthly;

Two deputy clerks (typists) at a minimum salary of one hundred eighty-five dollars ($185) monthly with annual increments of eleven dollars ($11), seven dollars ($7), seven dollars ($7), and seven dollars ($7) to a maximum of two hundred twenty-seven dollars ($227), monthly.

(3) There shall be one marshal who shall receive a minimum salary of two hundred sixty-five dollars ($265) monthly with annual increments of twelve dollars ($12), thirteen dollars ($13), twelve dollars ($12), and thirteen dollars ($13) to a maximum of three hundred fifteen dollars ($315), monthly.

The marshal may appoint.

One deputy at a minimum salary of two hundred forty dollars ($240) monthly with annual increments of eleven dollars ($11), eleven dollars ($11), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred eighty-five dollars ($285), monthly;

Two deputies (custodians) at the fee allowed by law for keeping property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "ten", and insert "nine".

Amendment No. 2

On page 1, line 7, of said bill, strike out "($10,000)", and insert "($9,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 61—An act relating to notaries public.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on May 1, 1951, after the period, strike out the remainder of the line and all of lines 21 through 25.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1748—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1951, strike out line 1, and insert

"SECTION 1. Section 6.11 of the Alcoholic Beverage Control Act is amended to read:

Sec. 6.11. For the purposes of this section "club" means any of the following:

(a) Any chapter, aerie, parlor, lodge, or other local unit of an American national fraternal organization which has as the owner, lessee, or occupant thereof operated an establishment for fraternal purposes for not less than one year. An American national fraternal organization as used in this subsection must actively operate in not less than [thirty-six (36)] *twenty-four (24)* states of the Union and have not less than five hundred (500) local units in said [thirty-six (36)] *twenty-four (24)* states and which has been in active continuous existence for not less than twenty (20) years.

(b) Any hall or building association of such a local unit as is mentioned in subdivision (a) above, all of the capital stock of which is owned by the local unit or the members thereof, and which operates the clubroom facilities of such local unit.

(c) Any golf club which has more than 100 bona fide members, which owns, maintains or operates a regular golf links together with a clubhouse thereon, and which has operated such establishment for not less than one year; or any swimming and tennis club which maintains a standard AAU swimming pool and not less than five regulation tennis courts, together with the necessary facilities and clubhouse, which has 200 members or more paying regular monthly dues, and which has been in existence for not less than two years.

(d) Any yacht club which is a nonprofit organization and is a regular member of a recognized national nonprofit yachting organization having a membership of not less than 200 member yacht clubs, and which has more than 100 bona fide regular members, and which owns, maintains or operates a clubhouse and which has operated such clubhouse for not less than one year [.] *; or any trap or skeet club which is a nonprofit organization having at least three permanent trap houses or two permanent skeet fields and having at least 100 members, which is organized and operated according to accepted national regulations and which has been for a period of at least one year certified, either by a national trap or skeet association operating actively in at least 25 states or by one operating actively in all three west coast states, as eligible to hold regular trap or skeet shoots, and which has been in existence for more than one year, and which owns, leases, operates or maintains the land upon which said trap houses or skeet fields are located and a clubhouse adjacent to said trap houses or skeet fields.*

(e) Any bar association having an authorized delegate to the American Bar Association and composed entirely of attorneys at law, duly admitted, licensed and qualified to practice as such within the State of California, which has a bone fide membership of more than 1,000 members and has been in existence for a period of more than 20 years and which owns, leases, operates or maintains a club room or rooms for its membership and which has operated such club room or rooms for a period of not less than five years.

(f) Any chapter or local unit of a state-wide nonprofit organization of reserve peace officers, which chapter or local unit has been established for at least three years and which owns the premises in which it maintains a club room or rooms for its members, and where admission to the premises is restricted to members of the organization and their bona fide guests.

(g) Any technical professional society or a section thereof which is a nonprofit organization composed of members engaged in the practice of one of the sciences or in other work which contributes to the practice or advancement of one of the sciences, which has a bona fide membership of more than 500 members in a local area, which has a national bona fide membership of 8,000 or more members, which society has been in existence for not less than 10 years and has owned, operated or maintained for a period of not less than one year a club room or rooms as a meeting place for its membership.

(h) Any society or association which has been in existence for not less than twenty (20) years which is nonsectarian and nonpolitical and the purpose of which is to provide social and cultural benefits to its members, who must be American citizens or have signified their intention of becoming citizens, are not less than one hundred (100) in number, which is affiliated with a state-wide organization of similar

societies or associations, and which owns the premises where it maintains a club room or rooms for its members, and where admission to the club room or rooms is restricted to members and their bona fide guests, and which has operated or maintained such club room or rooms for not less than one year.

(i) Any bona fide nonprofit corporation, which is a bona fide horse riding club and which has more than 25 bona fide regular members which owns, maintains or operates a regular riding club together with a clubhouse thereon and has operated such establishment for not less than five years.

(j) Any social club which is a nonprofit organization and which is organized and operated for the purposes of maintaining, restoring or preserving historical monuments, landmarks or buildings, which said club or organization has more than 150 bona fide members paying regular monthly dues and which club or organization owns its own clubhouse and the real property upon which the clubhouse is situated, and which said clubhouse and/or real property constitute an historical monument, landmark or building.

(k) Any social club which is a nonprofit organization and which devotes a substantial portion of its revenue to charitable purposes, which has more than 200 bona fide members paying regular monthly dues, which has been in existence for more than five years, and which owns its clubhouse and the real property upon which the clubhouse is situated

A club as herein defined is a bona fide club within the meaning of Section 22 of Article XX of the Constitution of California.

The board may issue one "club license" to any club as herein defined. The fee for a club license shall be seventy-five dollars ($75) per year, plus an additional fee as set by the board for the distilled spirits privileges of the license. The fee for a club license shall not exceed the fee for an on-sale general license in the locality where the club is maintained

The holder of a club license is authorized to exercise all of the rights and privileges permitted by an on-sale general license, except that the holder of such license is authorized to sell and serve alcoholic beverages for consumption within the licensed establishment owned, leased, or occupied by the club only to bona fide members of the club and their bona fide guests. A club license is not transferable from person to person The provisions of Section 38f do not apply to club licenses issued or to be issued pursuant to this section.

Any club which holds an on-sale general license on or after April 1, 1947, and which transfers its on-sale general license to another person on or after that date shall not be eligible to apply for a club license for a period of at least one year following the date of the transfer of its on-sale general license

If any provision in this section which is reasonably separable from the remainder of the section is held invalid, such remainder of the section shall not be affected thereby."

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 23, inclusive; on page 2, strike out lines 1 to 52; and on page 3, strike out lines 1 to 8

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45 5, 45 6, 45.7, 45.8, 45.10, 45 11, and 46 1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 11 of the printed bill, as amended in the Assembly on March 14, 1951, after line 11, insert

"(d) In case of the State, the notice shall be given to the state department, board, office or commission prior to the time it presents the claim of such person or employing unit to the State Controller."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1365—An act providing for the constitution of the municipal court in a district embracing the City of San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of Burlingame and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of Burlingame and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge, who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three hundred forty-five dollars ($345) per month and who may appoint the following:

One deputy clerk who shall receive a salary of two hundred seventy-five dollars ($275) per month;

One deputy clerk who shall receive a salary of two hundred forty-five dollars ($245) per month;

One deputy clerk who shall receive a salary of two hundred ten dollars ($210) per month;

(3) The sheriff shall be ex officio marshal and his designated deputies shall be ex officio deputy marshals of the court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1366—An act providing for the constitution of the municipal court in a district embracing the City of Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of San Carlos and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of San Carlos and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7 and insert

"(1) There shall be two judges, each of whom shall receive ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three hundred forty-five dollars ($345) per month, and who may appoint the following:

Two deputy clerks each of whom shall receive two hundred seventy-five dollars ($275) monthly;

One deputy clerk who shall receive two hundred forty-five dollars ($245) monthly;

Two deputy clerks, each of whom shall receive two hundred ten dollars ($210) monthly;

(3) The sheriff shall be ex officio marshal and his designated deputies shall be ex officio deputy marshals of the court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1368—An act providing for the constitution of the municipal court in a district embracing the City of South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of Daly City and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of Daly City and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7 and insert

"(1) There shall be one judge, who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three hundred forty-five dollars ($345) per month and who may appoint the following:

One deputy clerk who shall receive a salary of two hundred seventy-five dollars ($275) per month;

One deputy clerk who shall receive a salary of two hundred forty-five dollars ($245) per month;

One deputy clerk who shall receive a salary of two hundred ten dollars ($210) per month;

(3) The sheriff shall be ex officio marshal and his designated deputies shall be ex officio deputy marshals of the court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 302—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of shorthand reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "relating to the regulation and licensing of", and insert "and to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to".

Amendment No. 2

On page 4 of said bill, after line 35, insert

"SEC. 3 Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure is amended to read:

261b In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the federal census taken in 1940, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge

of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by other law or laws, *in counties of 275,000 inhabitants and up to 700,000*, a fee of three dollars ($3), *and in counties of 700,000 inhabitants or more, a fee of five dollars ($5)*, shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceedings, except in an appeal from an inferior court

(2) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) *or five dollars ($5)* as in this section provided.

(4) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county.

SEC 4. Section 261h is added to the Code of Civil Procedure, to read:

261h. Notwithstanding the provisions of Section 261b, or any other section in conflict herewith, in each county, or city and county, having a population of 700,000 inhabitants or over, as determined by the 1950 Census, the salary of the regular official phonographic reporters shall be the sum of seventy-five hundred dollars ($7,500) per annum, and the compensation of official phonographic reporters pro tempore shall be at the rate of twenty-five dollars ($25) per day."

Amendment No. 3

On page 3, line 41, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings

to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith." approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "amount of loss"; and strike out lines 11 to 16, inclusive, and insert "total amount paid by the defendant to the State under compromise or realized by the State under escheat proceedings. When the Controller verifies the identity of the citizen claimant or his successor in interest and the total amount involved, he shall draw his warrant for its payment out of funds created as a repository for these moneys and the deficiency out of the General Funds of the State Treasury The payments shall bear interest at the rate of 6 percent per annum from the day the State received such funds."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2079—An act to amend Sections 13776, 13777, 13778, 13779, 13780, and 13781 of, and to add Sections 13782, 13783, 13784, 13785, 13786, 13787, 13788, and 13789 to, Chapter 8, Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1951, after "Sections", insert "13775,".

Amendment No. 2

On page 4 of said bill, after line 52, insert

"SEC. 15. Section 13775 of said code is amended to read:

13775 As used in this chapter:

(a) "Public agency" means any city, county, city and county, district, municipal or public corporation or any instrumentality thereof, *and boards and committees established under Chapter 10 of Division 6 of the Agricultural Code, Chapter 754 of Statutes of 1933, as amended, or Chapter 307 of the Statutes of 1935, as amended,* the employees of which constitute a coverage group.

(b) "Coverage group" has the meaning given that term by the provisions of Section 218 of Title 2 of the Social Security Act and applicable federal regulations adopted pursuant thereto"

Amendment No. 3

On page 5, line 1, of said bill, strike out "SEC 15", and insert "SEC 16."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2420—An act to amend Section 19511 of the Business and Professions Code, relating to the regulation of horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 19511", and insert "Sections 19512 and 19513".

Amendment No. 2

In line 2 of the title of said bill, after "racing", insert ", providing for the suspension and revocation of licenses".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 19512 of the Business and Professions Code is amended to read:

19512. All licenses issued under this article are subject to *suspension or* revocation and no person shall be eligible to or permitted to participate in any horse racing meeting unless at the time he holds a valid and unrevoked license for that form of participation. *A license may be suspended by the board for such period as it may determine, which period may extend beyond the expiration date of the license When a license is revoked the board may, for just cause, make an order that no such license shall subsequently be issued to the person whose license is revoked, in which case the board shall cause an entry of its reasons for so doing to be made on the minute book of the board.*

SEC. 2. Section 19513 is amended to read:

19513. No qualified person shall be refused a license under this article nor shall a license be *suspended or* revoked without just cause."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2421—An act to amend Section 19431 of the Business and Professions Code, relating to the regulation of horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 19431 of", and insert "add Section 19430.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 19430 5 is added to the Business and Professions Code, to read:

19430 5. The board may appoint a commissioner to conduct any hearing or make any investigation which the board itself might conduct or make. The board may authorize such commissioner to administer oaths, issue subpenas and take such other action as is necessary to effectively conduct such hearing. Any person who fails to appear before the commissioner at the time and place specified in a subpena issued in connection with such investigation and hearing, or who, appearing, refuses to testify is guilty of a misdemeanor. The commissioner shall have no authority to make a final decision in any such matter but shall submit his report to the board including in his report his findings on the matter. The board may, after study of such report, accept the findings and recommendations of the commissioner, or reject the same, or refer the matter back for further hearing or investigation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3033—An act to amend Sections 21, 39, and 41 of the Alcoholic Beverage Control Act, relating to administrative procedure of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, after "Act", insert "and Section 2377 of the Business and Professions Code".

Amendment No. 2

In line 2 of the title of said bill, strike out "of"; and strike out line 3.

Amendment No. 3

On page 3 of said bill, after line 12, insert

"SEC. 4. Section 2377 of the Business and Professions Code is amended to read:

Sec. 2377. The procuring or aiding or abetting or attempting or agreeing or offering to procure a criminal abortion constitutes unprofessional conduct within the meaning of this chapter [.] *; but no license shall be suspended or revoked for a violation of this section upon the uncorroborated testimony of the woman upon or with whom the offense was committed.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 516—An act to amend Sections 700.01, 700.05, 1582, 1594, 12360 and 12441 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 700.01, 700.05, 1582, 1594, 12360, and 12441", and insert "Section 5050.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "700.01", and insert "5050.5"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive, and all of pages 2, 3, and 4, and insert

"5050.5. Any county mutual fire insurer heretofore or hereafter incorporated and doing business under the provisions of this chapter may, if it has issued an insurance policy against fire, and as long as it maintains an excess of admitted assets over liabilities of at least fifty thousand dollars ($50,000), indorse such policy to extend the coverage thereof to include loss or damage caused by windstorm, cyclone, tornado and hail, explosion, riot, riot attending a strike, aircraft, vehicles, and smoke, and to include [waiver of the fallen building clause] *breakage of glass*.

[As used in this section "explosion" does not include explosions (a) of any boiler, heater or other fired pressure vessel, caused by pressure of contents, (b) of any unfired pressure vessel or of any piping caused by pressure of contents or vacuum, (c) of any engine, turbine, compressor, pump or wheel, (d) of any electrical apparatus, or (e) of any other machine having moving or rotating parts. This restricted definition of "explosion" does not exclude loss or damage by fire only where fire ensues. As used in this paragraph, the terms "boiler," "heater," and "pressure vessel," do not include hot water heaters used solely to provide hot water for delivery to faucets for domestic purposes and having a storage capacity of not more than 50 gallons.]"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 884—An act to amend Section 1730 of, and to add Section 1734 to the Insurance Code, relating to receipt and holding of fiduciary funds by insurance and bail licensees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 1730 of, and to add Section 1734", and insert "to add Section 1730.6".

Amendment No. 2

In line 3 of the title of said bill, strike out "insurance and bail licensees", and insert "*managing general agents*".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 36, inclusive, and insert

"SECTION 1. Section 1730.6 is added to the Insurance Code, to read:

Section 1730.6. As used in this section a managing general agent is a licensed insurance agent who, (1) has a written management contract with one or more admitted insurers covering business transacted by the insurer in a substantial portion of the State of California; (2) under such contract manages the transaction of either all or one or more of the classes of insurance written by such insurers in that territory or the transactions therein by such insurers under a specified fictitious underwriter's name; (3) has the power to appoint, supervise and terminate the appointment of local agents in such territory; (4) has the power to accept or decline risks; and (5) collects premium moneys from producing agents and brokers and remits such moneys to such insurers pursuant to the account current system

Any such managing general agent may, with respect to any principals for whom fiduciary funds are held, either comply with Section 1730.5 or with respect to such principals as have in writing specifically waived the segregation requirements of said section, comply with this section. A managing general agent electing to comply with this Section may commingle the funds of any such principal with his own funds to an unlimited extent and shall maintain such fiduciary funds held for such principals at all times in a bank account or depository in an amount equal to the net aggregate for all such principals of the premiums and return premiums, net of commissions, received by him and unpaid to the persons entitled thereto or, at their direction or pursuant to written contract, for the account of such persons. In computing such net aggregate any balance owed to such managing general agent by any principal may be deducted only if (1) such balance will, in the normal course of business and pursuant to written contract, be paid or allowed to such managing general agent by such principal and (2) such principal is not in liquidation or conservation in any jurisdiction and is not the subject of voluntary or involuntary receivership proceedings."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 991—An act to amend Section 10494.5 of the Insurance Code, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Amend Section 10494.5", and insert "Add Section 10494.6".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 16, and insert

"SECTION 1. Section 10494.6 is added to the Insurance Code, to read:

Section 10494.6 Any employer who qualifies for a certificate of exemption under Section 10494.5 by virtue of which certificate he maintains a plan for furnishing disability benefits to his employees may, if he elects, make available for the related

dependents of his employees, comprising wives, husbands and unmarried dependent children living in the same household, a supplemental plan of disability benefits containing any or all of the following benefits, hospital, surgical and medical, provided that as to the supplemental plan the Insurance Commissioner finds that all of the following exists:

(a) The supplemental plan shall be separately stated, setting out all of the provisions of coverage among which shall be a provision limiting the amount an individual may receive as a result of a single disability to not more than one thousand dollars ($1,000).

(b) The plan shall set out the respective contributions of the employer and employees. All contributions of employees received or retained by the employer shall be in the nature of trust funds and shall be separately accounted for by the employer and may not inure to the benefit of the employer in any manner whatsoever.

(c) The plan permits the disabled individual a free choice of physician and hospital.

(d) The employer agrees to assume some portion of the cost of maintaining the plan and he further agrees to underwrite the benefits if the contributions required for the supplementary benefits are not sufficient to pay the cost of same.

The Insurance Commission shall have authority to promulgate reasonable regulation applicable to all matters covered by this section and may in addition require an employer to post with the commissioner security in an amount not to exceed twenty-five thousand dollars ($25,000), in the form of a bond of an admitted surety insurer conditioned on the payment by the employer of his obligations under the plan, or deposits with the commissioner securities approved by the commissioner to secure the payment of such obligations."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 348—An act to amend Section 27322 of the Government Code, relating to recordation of instruments.

Bill read second time, and ordered to third reading.

Senate Bill No. 94—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 25, 1951, after "inspectors", insert "and investigators".

Amendment No. 2

On page 1, line 19, of said bill, after "inspectors", insert "and investigators".

Amendment No. 3

On page 1, lines 20 and 21, of said bill, strike out "special agents and assistant special agents", and insert "investigators".

Amendment No. 4

On page 1, lines 23 and 24, of said bill, strike out "an inspector", and insert "investigators".

Amendment No. 5

On page 1, line 22, of said bill, strike out "an inspector", and insert "special investigators".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 704—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 2 of said bill, after line 12, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 706—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 2 of said bill, after line 9, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 707—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 1 of said bill, after line 25, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 708—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 2 of said bill, after line 19, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, strike out lines 10 to 14, inclusive, and insert

"3. The Supreme Court shall have original and exclusive jurisdiction of all actions or proceedings brought on behalf of the United States or on behalf of a State involving the validity of any treaty or executive agreement; and".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1540—An act to amend Sections 2500, 2501, 2553 and 2601 of the Water Code, relating to determination of water rights.

Bill read third time.

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

AYES—Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, and Thomas—54.

NOES—Babbage, Beck, Belotti, Brown, Clarke, Cloyed, Coats, Collier, Conrad, Erwin, Fleury, Hinckley, Lowrey, Shaw, and Tomlinson—15.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. HAGEN TO ASSEMBLY BILL NO. 340

At 1.26 p.m., on motion of Mr. Hagen, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Hagen to Assembly Bill No. 340 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Lanterman, Lowrey, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—36.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

The question being on the passage of Assembly Bill No. 340.

Point of Order

Mr. Hahn arose to the following point of order: That Mr. Brady has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Additional Time Be Granted Mr. Brady

Mr. Dills moved that Mr. Brady be granted additional time for debate on Assembly Bill No. 340.

Mr. Elliott seconded the motion.

Motion lost.

The question being on the passage of Assembly Bill No. 340.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—Brady, Coats, George D. Collins, Condon, Davis, Dunn, Elliott, Henderson, McFall, McMillan, Moss, Parker, Shaw, and Thomas—14.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1951

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

Assembly Joint Resolution No. 30

And respectfully requests your honorable body to concur in said amendments.

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

Above resolution ordered to unfinished business file.

MEMBER EXCUSED

At 1.45 p.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick, be excused, for the balance of the legislative day, and for yesterday, Monday, May 7th, because of personal business elsewhere, and stated that he desires to waive his per diems.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3376, on request of Mr. Geddes.

Assembly Bill No. 1466, on request of Mr. Shaw.

RESOLUTIONS

The following resolution was offered:

By Mr. Silliman:

House Resolution No. 139

Relative to the augmentation of funds of the Assembly Interim Committee on Conservation, Planning, and Public Works

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No 212, 1949 Regular Session), the sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims incurred or to be incurred under said resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 880

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 1187
Assembly Bill No. 2212
Assembly Bill No 2474
Assembly Bill No 2755
Assembly Bill No. 2800
Assembly Bill No. 3024
Assembly Bill No 3217

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 178
Assembly Bill No. 682
Assembly Bill No. 1912

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1187, 2212, and 2755 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 1912, 2800, and 3024 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bills Nos. 2474 and 682 re-referred to the Committee on Ways and Means.

Assembly Bill No. 178 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3217 re-referred to the Committee on Municipal and County Government.

Senate Bills Nos. 279 and 1744 re-referred to the Committee on Transportation and Commerce.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was anounced that the following committees would hold meetings:

Today—

At 3 p.m.—

Agriculture, in Room 432.
Social Welfare, in Room 426.
Public Health, in Room 3186.

At 3.15 p.m.—

Subcommittee on Governmental Efficiency and Economy, in Room 430. Subject: Assembly Bill No. 1060.

At 4.15 p.m.—

State Capitol Committee, in office of the Speaker.

At 4.30 p.m.—

State Capitol Committee, in Room 3044.

At 8 p.m.—

Fish and Game, in Room 3186.
Judiciary, in Room 435. Subject: Superior court salaries and the creation of new judicial departments.

Tomorrow, Wednesday, May 9th, at 9 a.m.—

Rules, in Room 3186.

It was announced that the following committee would hold no meeting today:

Elections and Reapportionment.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Rear Admiral Bertram J. Rodgers, U. S. N., Commandant, 12th Naval District.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth W. Fuller and Mrs. John S. Ross of Fort Bragg.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Davidson, teacher, and the following pupils of the Marshall School: Stephen Alderson, Dickie Brady, Bennen Beede, Chris Morgese, Rozelle Aullo, Alyn Goldsmith, Kenneth Savage, Joe Pinon, Ronnie Ralph, Eugene Harris, William Richards, Rickie Massie, Clinton Foster, Katherine Gomez, Conrad Ament, Otto Trimble, Gary Basich, John Forsberg, Sandra Munn, Marilyn Rice, Sharon Elliott, Irmgard Haag, Diane Romanslia, Dale Lohrey, Louise Smith, Ronnie Ralph, Bobbie Baxter, Chris Morgese, Nagja Ren, Ann Sandstrom, Marjorie Plummer, Elisa Mora, and Katherine Hester.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Miss Cornelia Cooke and Miss Anne Cooke, State Department, just returned from Hong Kong and Formosa.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Fred J. Desch of Los Angeles.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to J. D. Norris and Adelaide Mudgott, teachers, and the following pupils of the Chartville School: Dolores Jennings, Rosie Lucchesi, Vera Mae Anderson, Iona Mae Simpson, Bernice Dondero, Gerald McCutcheon, Ann Tagorio, Jerry Martin, James Anderson, Beverly Larson, Timmy Martin, Charles Sharp, Gale Lawrence, Betty Lou Fuller, Estelle Watters, Elaine Burger, Claudette Newsom, Sharon Mullins, Howard Ricketts, George Kiehn, Armeda Sarraraz, Johnny Sarraraz, Albert Gauger, Bob Winder, Richard Stockton, George Whitehouse, and Henry Munog.

On request of Messrs. Maloney and Connolly, the usual courtesies of the Assembly for this day were unanimously extended to the following Young Republicans of San Francisco: Martha V. Bruce, Jessie W. Sheehan, Abraham Lincoln, Melba Montrose, Juanda Loysen, Roberta Colaw, Dean Folger, Elise Gould, Mrs. Stephen Malatesta, Stephen Malatesta, John F. Waters, Josephine W. Conway, Betty Crites, E. Frederic Gillen, Trafton D. Muller, Naida L. Thornton, and Robert Sherwood.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Alfred Casali, Neil Hutchens, Edwin Carter, and Stanley Van de Berg, of the U. S. Air Force, en route to Oregon.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Sequoia High School of Redwood City: Jeanette Baccei, Diana Grohs, Robert Berglund, Don McGee, Joe Green, and Nancy Cross.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Madeline Waddell and Jean Stover, teachers; Mrs. Elsie Meagor and Mrs. Lucille Stover, adults, and the following pupils of the Brookside School of San Anselmo: Marie Nevi, Barbara Archer, Nancy Edwards, Janet Laster, Pam Patton, Kenny Berger, Ed Bertrand, June Holaday, Will Fisher, Jim Chilberg, Barbara Christie, Barbara Mani, Joseph Meagor, Bill Taylor, Shirley

Foppiani, Kenny LaBoube, Bob Rosenhahr, Rodney Levin, Jim Menlove, Bill Hilton, Rose Anne Bernhardy, Steve Jones, Carol Andersen, and Don Cordy.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Anna Belle Danver, teacher, Mrs. W. Gillespie, Mrs. L. Coil, Mrs. M. Locke, and Mrs. Geo. Meier, adults, and the following pupils of the Lockeford School: June Bishop, Marilyn Coil, Nancy Gillespie, Eugene Hausauer, Jacqueline Hensel, Mario Jurin, Pat Lewis, Ronald Meier, Janice Mohrmann, Barbara Monk, Norma Netz, Donald Neu, Eddie Smith, Nick Spanos, LeRoy Waldo, Harold Womack, Bob Yamate; and Shirley G. Steely, teacher, and the following pupils of Clements Union School: Mildred Adams, Raymond Lucas, Betty Lou Ming, Huey Thornburg, and Joan Young.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to L. Carrar of Plainfield, New Jersey, and George Carrar of Redwood City.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Edna P Gehlken, teacher, and the following pupils of the College of the Pacific: Norma Barner, Billie Carson, Frances Chisholm, Doenda Hammond, Howard Hill, Isabella King, Helen Moore, Arla Nagel, Luramae Sanders, Barbour Scott, Carolyn Stevens, Suzanne Thorpe, Beverley Vowel, Mary Lou Young, Margaret Delphrey, and Carolyn Smith.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Frances Ewy and Ruth Saw, teachers, and the following pupils of the Stockton College: Donald Latimer, Norma Ledbetter, Freddy Lee, Ray Luna, Pat Meath, Janet McFall, Jack Moffat, Al Molina, Kiyoshi Morodomi, Norma Payne, Elaine Pilon, Juanita Powers, Patty Ramos, Alan Reyburn, Fred Ritter, Frances Santinoni, Tom Scott, Betty Shepard, John Sibole, Lanny Simpson, Carol Smith, Merle Smith, Ken Solari, Bob Strand, Max Thomas, Wanda Thomas, Joanne Thompson, Marian Van Camp, Richard Vote, Oma Ward, Tom Wester, Derith White, Marguerite White, Earl Willens, Carol Young, Delores Beyett, Inez Bishop, Ray Brown, Patricia Cade, Raul Calderon, Yvonne Cataldo, Dean Catlett, Nellie Catlett, Nancy Collis, Amandina Constancio, Doralee Corren, Imelda Cummings, Jackie DeLane, Johnnie Elliott, Angie Estrada, Kathryn Eybs, Evelyn Fontes, Donald Fox, Donna Frazier, Bill Freitas, Ross Gannon, Sam Garcia, Connie Gauger, Saul Gong, Pat Goodland, Arlen Gray, Joel Hansen, Norma Harrelson, Lyle Harrison, Pat Hinkle, Barbara Hostetter, Jill Hubbard, Burton Kay, Louis Kotez, and Emery Lally.

ADJOURNMENT

At 1.46 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, May 9, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY

SEVENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 9, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

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

Almighty God, King of Kings, and Lord of Lords, From whom proceeds all power and dominion in Heaven and earth, we beseech Thee to look with favor upon Thy servants. Bless and guide the President of the United States, the Governor of this Commonwealth, the presiding officer and Members of this Assembly, and all who are in authority. Imbue them with the spirit of wisdom, goodness, and truth, that law and order, justice and righteousness may prevail.

"Teach us, O God,
To serve Thee as Thou deservest—
To give and not count the cost,
To fight and not heed the wounds,
To toil and not cry for rest,
To labor and not seek undue reward
Save that of knowing that we have done Thy will."

We ask it in the name of Jesus, the Author and Finisher of our faith.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Hansen.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 591	Assembly Bill No. 1369
Assembly Bill No. 1365	Assembly Bill No. 2597
Assembly Bill No. 1366	Assembly Bill No. 3312
Assembly Bill No. 1368	Assembly Bill No. 3414

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 61	Assembly Bill No. 1748
Assembly Bill No. 250	Assembly Bill No. 2005

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Concurrent Resolution No. 58

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Busch, and O'Gara as a Committee on Conference concerning.

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

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

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Way, Burns, and Desmond as a Committee on Conference concerning:

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

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

SENATE CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No. 33
Assembly Bill No. 1256
Assembly Bill No. 1259
Assembly Bill No. 1263
Assembly Bill No. 1289
Assembly Bill No. 1861
Assembly Bill No. 1862
Assembly Bill No. 1916
Assembly Bill No. 2314
Assembly Bill No 2499
Assembly Bill No. 2790

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 730
Senate Bill No. 1748

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

SENATE CHAMBER, SACRAMENTO, May 8, 1951

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

Assembly Bill No 245
Assembly Bill No. 1317
Assembly Bill No. 1742
Assembly Bill No. 1743
Assembly Bill No. 2310
Assembly Bill No. 2320
Assembly Bill No. 2347
Assembly Bill No. 3368

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 8, 1951

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

Senate Concurrent Resolution No. 57

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 57—Relative to the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

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

Senate Bill No. 28
Senate Bill No. 1085

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 28—An act to add Sections 14152, 14152.1, 14152.2, 14152.3, 14152.4, 14153, 14153.1, 14154, 14154.1, 14155, and 14156 to, and repeal Sections 14152, 14153, 14154, 14155, and 14156 of the Health

and Safety Code, relating to fire protection districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1085—An act to amend Sections 65131 and 65270 of the Government Code, relating to conservation and planning.

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

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 1293	Assembly Bill No. 2453
Assembly Bill No. 1490	Assembly Bill No. 2502
Assembly Bill No. 1981	Assembly Bill No. 2725

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams;

Assembly Bill No. 1030—An act to amend Sections 5750.5 and 5708 of the Welfare and Institutions Code, relating to records of patients in private mental institutions;

Assembly Bill No. 1178—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 298—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts;

Assembly Bill No. 418—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered;

Assembly Bill No. 607—An act to repeal the Automobile Parking District Act of 1941 and to repeal an act entitled "An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts," approved July 12, 1941, relating to automobile and vehicle parking districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 3020—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form;

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 1223, 1224, 1780, and 3150 of, and to add a new section numbered 954 to the Banking Code, and to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 1223, 1224, 1780, and 3150 of, and to add Section 954 to, the Financial Code, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 1271—An act to amend Sections 420, 421, 422, 422.3, and 422.5 of the Vehicle Code, relating to financial responsibility;

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility;

Assembly Bill No. 2131—An act to amend Sections 1, 1.5, and 4 of, and to add Sections 1.1, 1.2, 1.3, and 1.4 to, the Judges' Retirement Act, and to amend Section 2 of, and to add Sections 4.7 and 7.5 to, the Judges' Retirement Fund Act, relating to the State System for the Retirement of Judges and Justices;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 8
Senate Bill No. 737
Senate Bill No. 738
Senate Bill No. 1446

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

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 223

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

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2902
Assembly Bill No. 3229
Assembly Bill No. 3254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Constitutional Amendment No. 58: By Mr. Hawkins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 60: By Mr. McCollister—Approving amendments to the charter of the City of San Rafael, a municipal corporation in the County of Marin, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO WITHDRAW ASSEMBLY BILL NO. 3253 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Rosenthal moved that Assembly Bill No. 3253 be withdrawn from the Committee on Public Utilities and Corporations, and be placed upon the file.

Point of Order

Mr. Morris arose to the following point of order: That Mr. Hagen is not speaking to the motion, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Cloyed, Grant, Waters, Doyle, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Rosenthal to withdraw Assembly Bill No. 3253 from committee

The roll was called, and the motion lost by the following vote:

AYES—Coats, George D. Collins, Condon, Cooke, Davis, Elliott, Fleury, Hagen, Henderson, McFall, McMillan, Moss, Munnell, Parker, Rosenthal, Rumford, and Shaw—17.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—48.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 522—An act to amend Section 1730 of, and to add Section 1730.5 to, the Insurance Code, relating to insurance and bail licensees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 522?

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in the Assembly on April 11, 1951, after "person", insert "who does not make immediate remittance of all funds received as premium to the insurer entitled thereto".

Amendment No. 2

On page 2, line 30, of said bill, as amended, after "thereto", insert "or, at their direction or pursuant to written contract, for the account of such persons".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 522 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—George D. Collins—1.

Assembly Bill No. 522 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF CONFERENCE REPORT CONCERNING SENATE BILL NO. 282

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up consideration of the conference report concerning Senate Bill No. 282, temporarily passed on the unfinished business file, out of order, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 282 (As amended in Assembly April 30, 1951)—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund, declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendments to Senate Bill No 282 as Amended in Assembly April 30, 1951

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 30, 1951, strike out lines 39 to 41, inclusive, and insert "the preliminary 1950 population figures of the United States Bureau of Census for incorporated cities having less than 1,000 inhabitants".

GIBSON	WATERS
SUTTON	HOLLIBAUGH
PARKMAN	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 291 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 30—Relative to the Central Arizona Project.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 30?

Amendment No. 1

On page 2, line 5, of the printed measure, as amended in the Assembly on April 25, 1951, after "Congressmen", insert ", and particularly the members of the Interior and Insular Affairs Committee".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 30 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 30 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 131
House Resolution No. 137
House Resolution No. 139

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 33

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

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 39

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

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 55

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 1041

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

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MORRIS, Chairman

Above reported bill ordered to second reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2484

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

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 3165

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 3037

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

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred

Senate Bill No. 959
Senate Bill No. 1242

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

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2127

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

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 287
Senate Bill No. 288

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

CLARKE, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

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

Senate Concurrent Resolution No. 68

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 68—Approving amendments to the charter of the City of San Rafael, a municipal corporation in the County of Marin, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

RECONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 59

In compliance with a notice given on a previous day, Mr. McGee moved that the vote whereby Assembly Concurrent Resolution No. 59 was adopted be reconsidered.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. McGee did not vote on the adoption of Assembly Concurrent Resolution No. 59 yesterday, and, pursuant to the provisions of the Rules, was not in order in giving notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken, and ruled the notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted the property of the House, at this time.

Motion to Reconsider Assembly Concurrent Resolution No. 59

The notice of motion to reconsider Assembly Concurrent Resolution No. 59 being the property of the House, Mr. Collier moved that the vote whereby Assembly Concurrent Resolution No. 59 was adopted yesterday be reconsidered.

Point of Order

Mr. Doyle arose to the following point of order: That, as Mr. McGee did not vote on the adoption of Assembly Concurrent Resolution No. 59, the motion to reconsider is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken as this point has been previously ruled upon.

Point of Order

Mr. Moss arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Coats arose to the following point of order: That Mr. Collier did not vote upon the adoption of Assembly Concurrent Resolution No. 59 yesterday, and is not in order in moving reconsideration or in speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken, as the motion is the property of the House; and that such an objection as Mr. Coats is now raising is not well taken because not made yesterday, as was proper.

Point of Order

Mr. George D. Collins arose to the following point of order: That Mr. Collier is not in order because he did not vote upon the adoption of Assembly Concurrent Resolution No. 59.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Doyle arose to the following point of order: That the motion now being discussed is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Inquiry

Mr. Hahn arose to the following point of inquiry: Can or cannot Mr. McGee speak to this motion?

Ruling by Speaker

Speaker Sam L. Collins ruled that Mr. McGee had no right to author the original motion so it was not in order for him to speak first, but that, when his turn arrives and he is recognized, he may speak to the motion.

Point of Order

Mr. Gaffney arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Points of Order

Mr. Condon arose to the following points of order: That, pursuant to the Rules, a definite reason for reconsideration must be stated, and that, as none has been stated, Mr. Collier is not in order; and that, further, he is reading from printed material and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the points of order well taken.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Collier did not vote upon the adoption of Assembly Concurrent Resolution No. 59, and is out of order in speaking on the motion.

Ruling by Speaker

Speaker Sam L. Collins repeated his ruling which was that such an objection should have been raised yesterday, and that, as the notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted became the property of the House, the point of order is not well taken.

Point of Inquiry

Mr. Coats arose to the following point of inquiry: Why was Mr. Collier in order when he moved to reconsider Assembly Concurrent Resolution No. 59?

Ruling by Speaker

Speaker Sam L. Collins ruled that, pursuant to the provisions of Rule No. 84, Mr. Collier was in order.

Motion to Lay Motion on Table

Mr. Condon moved that the motion to reconsider, by Mr. Collier, be laid upon the table.

Mr. Hagen seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That, pursuant to the provisions of the Rules, two members may not have the floor at the same time, and that Mr Condon's motion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Hagen arose to the following point of order: That Mr. Collier has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled that so many interruptions have consumed the time of Mr. Collier that the point of order is not well taken.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Collier has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Motion to Lay Motion to Reconsider on Table

Mr. Condon moved that the motion by Mr. Collier to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was adopted be laid upon the table.

Mr. Hagen seconded the motion.

Point of Inquiry

Mr. Crowley arose to the following point of inquiry: Does this coming roll call carry with it the question of the adoption of the resolution, or just the question of reconsideration?

Ruling by Speaker

Speaker Sam L. Collins ruled that only the motion to reconsider is presently before the House, and that the roll call does not pertain to any other issue.

Roll Call Demanded

Messrs. Grunsky, Crowley, and Cooke demanded a roll call.

The roll was called, and the motion by Mr. Condon to table the motion to reconsider lost by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Lowrey, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—32.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—38.

The question being on the motion to reconsider.

Demand for Previous Question

Messrs. Cooke, Grunsky, Geddes, Hinckley, and Luckel demanded the previous question.

Demand for previous question lost.

The question being on the motion, by Mr. Collier, to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted.

Demand for Previous Question

Messrs. Doyle, Hinckley, Gubser, Silliman, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the motion, by Mr. Collier, to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted.

The roll was called, and reconsideration refused by the following vote:

AYES—Babbage, Belotti, Burke, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Erwin, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—33.

NOES—Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans,

Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—39.

Assembly Concurrent Resolution No. 59 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1689

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

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 302
Assembly Bill No. 516
Assembly Bill No. 884
Assembly Bill No. 2420
Assembly Bill No. 2421
Assembly Bill No. 2611
Assembly Bill No. 3033

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 991
Assembly Bill No. 1814
Assembly Bill No. 2079

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 516, 884, and 991 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 3033, 2421, and 2420 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 2611 and 2079 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1814 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 302 re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1810

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1810, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1810—An act to amend Section 29(c) of the "Community Redevelopment Act," relating to employees benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1810?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 29 (c)", and insert "Section 29".

Amendment No. 2

In line 2 of the title of said bill, strike out "Act," " and insert "Act" and Section 33265 of the Health and Safety Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 29 of the Community Redevelopment Act is amended to read:

Sec. 29. Each redevelopment agency shall constitute a public body, corporate and politic, exercising public and essential governmental functions, and, subject to the limitations imposed by this act, shall have the following powers in addition to the others herein granted:

(a) To sue and be sued; to have a seal; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers

(b) To make, and from time to time amend and repeal by-laws, rules and regulations not inconsistent with this act to carry into effect the powers and purposes hereof.

(c) To obtain, hire, purchase or rent office space, equipment, supplies, insurance and services and to authorize and pay the expenses of travel by members of the agency and its officers, agents, counsel, and employees on business of the agency In order that there may be no unnecessary duplication of effort or expense, the agency shall have access for the purposes of the agency to the services and facilities of the planning commission, the city engineer and such other departments and offices of the community as may be appropriate therefor.

(d) To select, appoint and employ such officers, agents, counsel and employees, permanent and temporary, as it may require, and determine their qualifications, duties, *benefits* and compensation, subject only to the conditions and restrictions imposed by the legislative body on the expenditure or incumbrance of the budgetary funds appropriated to the community redevelopment agency administrative fund as provided by Section 26.

(e) To prepare from time to time plans for the improvement, rehabilitation, and redevelopment of blighted areas.

(f) To disseminate redevelopment information

(g) To accept financial or other assistance from any source, public or private, for or in aid of the agency's activities, powers and duties and to expend any funds so received for any of the purposes of this act.

(h) Within the redevelopment area or for purposes of redevelopment: To purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise or otherwise, any real or personal property, or any interest therein, together with any improvements thereon; to acquire by the exercise of the power of eminent domain any real property; to clear any or all buildings, structures or other improvements from any real property so acquired; to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber (by mortgage, deed of trust or otherwise), or otherwise dispose of any real or personal property or any interest therein; to insure or provide for the insurance of any real or personal property or operations of the agency against risks or hazards; and to rent, maintain, manage, operate, repair, and clear, such real property Any such lease or sale may be made without public bidding but only after a public hearing by the agency upon the proposed lease or sale and the provisions thereof

(i) To develop as a building site or sites any real property owned or acquired by it, and in this connection to cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, and public utilities of every kind to be constructed and installed.

(j) To operate a rehousing bureau for the purpose of assisting site occupants in obtaining adequate temporary or permanent housing and to incur such expenses as are necessary in connection therewith.

(k) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be canceled.

(*l*) To obligate lessees or purchasers of property acquired in a redevelopment project: (1) to use such property for the purpose designated in the redevelopment plans; (2) to begin the redevelopment of the project area within a period of time which the agency fixes as reasonable; and (3) to comply with such other conditions as in the opinion of the redevelopment agency are necessary to carry out the purposes of this act. The agency, by provision in the contract, may make any of the purchaser's obligations, covenants or conditions running with the land, whose breach shall cause the fee to revert to the agency.

(m) To exercise all or any part or combination of the powers herein granted.

(n) Nothing herein contained shall authorize such redevelopment agency to construct or rehabilitate any of the buildings for residential, commercial, industrial, or other use contemplated by the redevelopment plan, and nothing contained in this act shall authorize such redevelopment agency to sell, lease, grant or donate public property to a housing authority or to any public agency for low-rent public housing projects.

(o) The agency shall not acquire, without the consent of the owner, any real property on which buildings are located, where such buildings are to be continued on their present site and in their present form and use, unless such buildings require alteration, improvement, modernization, or rehabilitation under the redevelopment plan and the owner fails or refuses to agree to participate in the redevelopment plan as provided in Sections 47 and 72.

SEC. 2. Section 33265 of the Health and Safety Code is amended to read:

33265. An agency may select, appoint, and employ such permanent and temporary officers, agents, counsel, and employees as it requires, and determine their qualifications, duties, *benefits*, and compensation, subject only to the conditions and restrictions imposed by the legislative body on the expenditure or incumbrance of the budgetary funds appropriated to the community redevelopment agency administrative fund.

SEC. 3. Section 2 of this act becomes operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Section 29 of the Community Redevelopment Act is repealed."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 10, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1810 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1810 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and amend Section 6 of the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 2067
Assembly Bill No. 3055

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3423

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

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 952
Senate Bill No. 955

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

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 946
Senate Bill No. 951

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

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3323
Assembly Bill No. 1775

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Sections 352 and 358 to, the Agricultural

Code, relating to animals, including provisions relative to slaughter, hides, inspections, and meat thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 89	Senate Bill No. 883
Senate Bill No. 110	Senate Bill No. 961

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 461	Assembly Bill No 2216
Assembly Bill No. 584	Assembly Bill No. 2818
Assembly Bill No. 1118	Assembly Bill No. 3357

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 212	Assembly Bill No. 475
Assembly Bill No. 214	Assembly Bill No. 2040
Assembly Bill No. 215	

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1495
Assembly Bill No. 2113
Assembly Bill No. 2513
Assembly Bill No. 3419

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 213
Assembly Bill No. 2290

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

BROWN, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Bill read third time, and ordered passed on file.

Assembly Bill No. 3031—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1997—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 16

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Joint Resolution No. 33

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 282
Assembly Bill No. 287
Assembly Bill No 288

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

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 895
Assembly Bill No 896
Assembly Bill No. 1221

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2690—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3405—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3411—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Bill read third time.

Motion to Amend

Mr. Cooke moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25464", and insert "25465".

Amendment No. 2

On page 1, line 1, of said bill, strike out "25464", and insert "25465".

Amendment No. 3

On page 1, line 3, of said bill, strike out "25464", and insert "25465".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, April 30, 1951; Tuesday, May 1, 1951; Wednesday, May 2, 1951; Thursday, May 3, 1951, and Friday, May 4, 1951, were approved, as corrected by the Minute Clerk.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read third time, and ordered passed on file.

Assembly Bill No. 386—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—62.

NOES—Hagen, Lowrey, McCarthy, and Moss—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1088—An act to amend Sections 680, 682, and 684 of the Probate Code, relating to family allowances from estates.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 962—An act to amend Section 4300*l* of the Political Code, and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2207—An act to add Section 18.5 to the Municipal and Justice Court Act of 1949, relating to municipal courts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2512—An act to amend Section 2616 of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2859

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2859, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2859?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "services, facilities, or water of the enterprise", and insert "works".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "its pro-rata share of".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "pursuant hereto", and insert "for the use and maintenance of the works".

Amendment No. 4

On page 1, line 14, of said bill, after "chapter," insert "and which territory continues to use the works,".

Amendment No. 5

On page 1, line 15, of said bill, strike out "pursuant hereto", and insert "for the use and maintenance of the works".

Amendment No. 6

On page 1, line 19, of said bill, after "chapter," insert "and which territory continues to use the works,".

Amendment No. 7

On page 1, line 20, of said bill, after "sum", insert "or sums".

Amendment No. 8

On page 1, lines 21 and 22, of said bill, strike out "of the pro-rata share of said territory".

Amendment No. 9

On page 1, line 23, of said bill, strike out "pursuant hereto", and insert "for the use and maintenance of the works".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2859 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 2859 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2860

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2860, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2860?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "its pro-rata share of".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "pursuant hereto", and insert "for such use".

Amendment No. 3

On page 1, line 14, of said bill, after "chapter," insert "and which territory shall continue to use the services, facilities, or water of the enterprise,".

Amendment No. 4

On page 1, lines 14 and 15, of said bill, strike out "its pro-rata share of".

Amendment No. 5

On page 1, lines 15 and 16, of said bill, strike out "pursuant hereto", and insert "for such use".

Amendment No. 6

On page 1, line 20, of said bill, after "chapter," insert "and which territory shall continue to use the services, facilities, or water of the enterprise,".

Amendment No. 7

On page 1, line 21, of said bill, after "sum", insert "or sums".

Amendment No. 8

On page 1, line 23, of said bill, strike out "pro-rata share of said territory of the".

Amendment No. 9

On page 1, line 24, of said bill, strike out "pursuant hereto", and insert "for such use".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2860 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2860 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ADOPTION OF CONFERENCE REPORT CONCERNING SENATE BILL NO. 1211

Mr. Silliman asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Tuesday, May 1st, adopted the report of the Committee on Conference concerning Senate Bill No. 1211.

Mr. Waters withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1752—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fire boat services and payment for services of firemen.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 44

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

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 57

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

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 68

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred

Assembly Bill No. 284
Assembly Bill No. 289
Assembly Bill No. 1032
Assembly Bill No. 1053
Assembly Bill No. 1109
Assembly Bill No. 1147
Assembly Bill No. 3364

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

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 3183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That, pursuant to the provisions of Rule No 45, Assembly Bill No. 2374 should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Assembly Bill No. 2374 ordered re-referred to the Committee on Ways and Means.

Assembly Bill No. 3414—An act to add Sections 1005.1 and 10052 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—Lowrey and Silliman—2.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—65.
NOES—Silliman and Tomlinson—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—68.
NOES—Levering—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 68, at this time, without reference to print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 68

Senate Concurrent Resolution No. 68—Approving amendments to the charter of the City of San Rafael, a municipal corporation in the County of Marin, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.
NOES—None.

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 1610, on motion of Mr. Hollibaugh.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 58

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 58, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 58

Assembly Concurrent Resolution No. 58—Relative to approving the charter of the City of Arcadia, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of April, 1951.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2874

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2874, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2874

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Lyon, Luckel, Geddes, and Lanterman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2874.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Brady, Burkhalter, Condon, Elliott, Hawkins, Levering, and McMillan—7.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 1467 and 1468, on request of Mr. Shaw.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 71 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Senate Bill No. 71 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO RECONSIDER BE CONTINUED

Mr. George D. Collins asked for unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 3075 be continued until the next legislative day.

Mr. Dickey withheld unanimous consent.

Objections Withdrawn

Mr. Dickey withdrew his objections.

Notice of Motion to Reconsider Continued

By unanimous consent, the consideration of notice of motion to reconsider vote on Assembly Bill No. 3075 was continued until the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

An act to add Section 845.1 to the Fish and Game Code, relating to nets.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Leveting, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3425: By Mr. Thomas—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Munnell:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 23 and 24 of the Alcoholic Beverage Control Act, relating to excise taxes on alcoholic beverages, to take effect immediately.

Respectfully submitted.

WM. A. MUNNELL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Munnell:

An act to amend Sections 23 and 24 of the Alcoholic Beverage Control Act, relating to excise tax on alcoholic beverages, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3426: By Mr. Munnell—An act to amend Sections 23 and 24 of the Alcoholic Beverage Control Act, relating to excise taxes on alcoholic beverages, to take effect immediately.

Referred to Committee on Boards and Commissions.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Parker:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable streams and public waterways

Respectfully submitted.

H. Q. PARKER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Parker:

An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable streams and public waterways

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

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

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

Assembly Bill No. 3427: By Mr. Parker (By request of Mr. McFall)—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable streams and public waterways.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 59: By Messrs. Maloney and Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Constitutional Amendments, in Room 3186.
Municipal and County Government, in Room 426.
Education, in Room 432.
Subcommittee on Ways and Means, in Room 319. Subject: Assembly Bill No. 1954.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 435.
Conservation, Planning, and Public Works, in Room 3186.

Tomorrow, Thursday, May 10th, at 9 a.m.—

Rules, in Room 3186.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mabel Crown of Alameda.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Frank Pensar, teacher, J. A. McNaught, adult, and the following pupils of El Verano School: Patsy Ward, Rebecca Patterson, Jimmy Saunders, Manual Katrones, Arthur Morgan, Louis Haas, Donald Kohler, Robert Fassio, Robert Larsen, Stanley Flandi, Barry Maslin, Paul Freidrichsen, Barbara Pellandini, Violet De Martini, Gayle Vandergrift, Kirk Williams, Barbara Pellandini, Jeanetta Cheary, Thelma Cummins, Thaddeus Harvey, Judy Thomas, Clara Fernandez, Kay Williams, Julianna Setenga, and Louise Bowman.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Frank Lovoi, teacher, Mildred Tandy, adult, and the following pupils of the Esparto School: Marguerite Gwerder, Virginia Praeter, Arthurene Johnson, Wayne Johnson, Mona Hamblet, Barry Bowles, Duane Tandy, Diane Parker, Nancy Morris, Bob Criner, Penelope Welch, Betty Ann Jaeger, John Stephens, John McDonald, Celia Geusalia, Mary Scott, Cordell Karlstad, James Owens, Charles Bertram, Lola Gross, Frances Yarbrough, Bonnie Bourland, Phyllis Hill, Patricia Power, Kathlee Mata, Sharon Messmer, Jo Ann Bender, Mary Anne Lewis, Dorothy Cobb, Annabelle Lopez, Jane Phillips, Kathy Weyant, and Pauline Long.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Alfred Broccardo, teacher, and the following pupils of the Salesian High School of Richmond: Robert Anthony, John O'Brien, Anthony Freitas, Joe Pasquale, Joe Tuso, James Madison, Peter Sausedo, Paul Landis, Roland L'Heureux, Larry King, Frank Nakagaki, Manuel Barbariol, Martin Zitzelberger, and James Bordoli.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Lowell L. Gates, teacher, John Dudley, adult, and the following pupils of the Lammersville School of Tracy: Mary Adams, Anita Bruce, Jackie Briscoe, Kendal Clay, Wilma Cook, Leroy Cook, Bob Dobbins, Barbara Edrington, Jesse Eddings, Pauline Kreiberg, Ralph McGee, Alfred Henriques, Lynn Bedford, Ronald Keeler, Chris Parreira, Leamon Thomas, Erwin Thomas, Stanley Rippin, Robert Treat, Myril Dee Willis, Rondie Price, and John Jordan.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. McGie, Mr. McClelland, Mr. Shenkel, Mr. Jeffers, Mr. Vonasek, and Mrs. Albrecht, teachers, and the following pupils of the Sycamore School: Verle Tolley, Bobbie Tescher, Jerry Wilson, Janet Lee, Lillian Scott, Betty Martin, Jessie Glover, Doyle Wright, Betty Mohler, Melvin Morris, Gary Justeson, Donald Pinion, Polly Winters, Berrie Clement, Marna Todd, Donna Donworth, Pat Dewitt, Jeri Ann Jensen, Joyce Stohlman, Anita Branch, Shirley Tabor, Lary Dunning, Bob Bate, Leon Marshall, Bob Fisher, Billy Pierce, Donald Mitchell, Don McCutcheon, Gary Fagan, Bob Baker, Jim Mund, Sherry Richens, Margaret Reimes, Robert Brownly, Shirley Mayberry, Sue Ann Adams, Allen Sparks, Elden Martin, Priscilla Oakley, Illene Lowery, Kathryn Jones, Carla Jones, Annette Bassette, Dona Abshire, Bob Onstead, Jimmy Pendergreft, LeRoy Hepworth, Billy Alexander, Virginia Din, Crystal Wright, Ione Sorenson, Gloria Hudson, La Tresa, Viola Estes, Betty Sanderson, Sharron Kast, Jackie Cummings, James Brock, David Burge, Hubert Greene, Chuck La Violette, Rodger Cooper, Raymond Pantaleoni, Elmer Smith, Donald Lockhart, Dale Hood, Harold Haury, Marvin Short, Gary Hepworth, Jerry Menker, John Gilford, Dan Fukushima, Gay Anderson, Shirley Sample, Margie Mattos, Delfina Agcuar, Daisy Dunlap, Yvonne Rogers, Tiny Whiteside, Norita Stewart, Carole Hinkle, R. C. Whitten, Allen Hill, Cleo Water, Bud Edwards, Harry Winters, Helon Carter, Addine Louis, Rosey Louis, LaVaughn Wilson, Una Brooks, Dart Shelton, Juanita Dillard, Imogene Hancock, Madiline Homesley, Beverly Mauer, Helen Gerger, Rowena Vaca, Fred Brokaw, LaVern Sowers, Kenneth Keen, Rodger Shefflet, Ival Stone, Leonard Kolnesberg, Bob Allen, Gary Little, and Richard Adamsicyke.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mary H. Drake, teacher, Mrs. Ralph Grovannoni, Mrs. Ralph Smith, Mrs. Reginald Sturtz, Mrs. Vincent Gemignani, and Mrs. Paul Martin, adults, and the following pupils of the Beaver School of Ryde: Mary Candelaria, Lorraine Gemignani, Barbara Meyer, Deanna Peters, Carolyn Rorman, Robert Goodman, Johnnie Malta, Jr., Donald Maria, Luther Walker, Richard Azevedo, Rufus Valadez, Arthur Fevereira, Fay Grovannoni, Roberta Goodman, Janice Smith, Jennie Luna, Geraldine Fanning, Donnavean Walsh, Jackie Martin, Glenn Sturtz, Phillip Sullivan, Billie Wyatt, and Stephen De Louize.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Florence W. Moore, teacher, R. J. Marraccini, B. D. Herrin, Mrs. R. J. Marraccini,

adults, and the following pupils of the Jefferson School: Mary Anastasio, Genevieve Borba, Lois Cantwell, Maybelle Castro, Stuart Clever, James Collins, Coby Dykzeul, Carol Ebell, Doyle Edwards, Bernard Elissogaray, Orval Farmer, Donald Hill, Merilyn Kellogg, John Jardine, Patricia Mowrey, Ronald Marcyes, Catalina Payan, Jesus Payan, Liliane Petricorena, and Rodger Rolicheck.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Harry Lewis of Lake Hughes.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Judge Fred Wood of San Francisco.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Russell Stowell, Dr. Cecil Hardesty, Francis Darby, J. C. Landerbach, and E. L. Freeland of San Diego.

ADJOURNMENT

At 3.21 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, May 10, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY

SEVENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 10, 1951

The Assembly met at 9.30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

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

We thank Thee, Eternal Spirit, For giving us this new day. Guide us with wisdom and understanding, patience and forgiveness, courage and strength. As we face perplexities and responsibilities, inspire us to be pure and gentle, truthful and high-minded, courageous and just Grant us the peace of the poet who prayed:

"Yet in the maddening maze of things,
And tossed by storm and flood,
To one fixed trust my spirit clings;
I know that God is good."

Through Jesus Christ, our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 330
Senate Bill No. 1534

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

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which were referred

Senate Bill No. 64
Senate Bill No 1031
Senate Bill No. 1060
Senate Bill No 1677

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

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 1877

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

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No 3411

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 354
Assembly Bill No 838
Assembly Bill No 1542
Assembly Bill No. 1906
Assembly Bill No. 1938

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 9, 1951

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

Assembly Bill No. 479
Assembly Bill No. 1176
Assembly Bill No. 1227
Assembly Bill No 1721
Assembly Bill No. 2717

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 9, 1951

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

Senate Bill No 211
Senate Bill No. 302
Senate Bill No. 928
Senate Bill No. 942
Senate Bill No. 1217
Senate Bill No. 1666

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 211—An act to amend Section 126 of, and to add Section 127 to, the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof maintained by the State Lands Commission.

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

Senate Bill No. 302—An act to add Section 417 to the Code of Civil Procedure, relating to civil actions

Referred to Committee on Judiciary.

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of the Insurance Code, relating to the regulation of workmen's compensation insurance, rating and other organizations.

Referred to Committee on Finance and Insurance.

Senate Bill No. 942—An act to amend Section 7431.1 of, and to add Section 7431.2 to, the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1217—An act to amend Sections 3082 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Referred to Committee on Social Welfare.

Senate Bill No. 1666—An act to add Article 10, comprising Sections 6175 to 6180, inclusive, to Chapter 4, Division 3, of the Business and Professions Code, relating to loyalty of attorneys.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees.

And appointed Senators Burns, Regan, and Dilworth, as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 789

The Speaker announced the appointment of Messrs. Lyon, McCollister, and Brady as a Committee on Conference concerning Senate Bill No. 789.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day rescinded its action whereby the Conference Committee report submitted May 1st, affecting Senate Bill No. 1211 was adopted, and to respectfully request your honorable body to take the same action.

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

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 1211

Mr. Davis asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, May 1st, adopted the report of the Committee on Conference concerning Senate Bill No. 1211.

Senate Bill No. 1211 ordered to unfinished business.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2513—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3419—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

Bill read second time, and ordered engrossed.

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

Bill read second time, and ordered engrossed.

Assembly Bill No. 288—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 11, of the printed measure, strike out "and", and insert "now, therefore, be it".

Amendment No. 2

On page 1 of said measure, strike out lines 12 to 27, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 7, of said measure, after "Resolved", insert "by the Assembly of the State of California, the Senate thereof concurring".

Amendment No. 4

On page 2, line 9, of said measure, after "Welfare", insert "with instructions that the same be copied and mailed to all recipients of old age assistance".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 2127—An act to add Section 657 to, and to amend Section 639 of, the Agricultural Code, relating to milk and milk products and imitations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "to add Section 657 to, and".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "and imitations thereof".

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3037—An act to add Section 941 to the Agricultural Code, relating to cotton.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 941 to", and insert "repeal Article 2 of Chapter 5 of Division 5 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "cotton", and insert "cottonseed certification".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Article 2 of Chapter 5 of Division 5 of the Agricultural Code, comprised of Sections 931 to 940, inclusive, is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

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

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 12 to 14, inclusive, and insert "(b) One counselor of conciliation who shall receive a salary of five thousand four hundred dollars ($5,400) per annum, whose duties shall be to provide supervision and counsel in conciliation matters and such other duties as the Judge of the conciliation court may direct."

Amendment No. 2

On page 1 of said bill, strike out lines 17 to 22, inclusive, and insert "sand three hundred dollars ($3,300) per annum."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 18, 1951, strike out line 4, and insert "thousand nine hundred dollars ($3,900) per annum; two".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 4, 1951, strike out "assistant", and insert "supervisor".

Amendment No. 2

On page 1, line 19, of said bill, strike out "junior"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 16, 1951, strike out lines 12 to 16, inclusive, and insert "chattel mortgage must within five days after being served with written notice by the mortgagee containing a statement of the mortgage, make demand by registered mail on the plaintiff or his attorney for the amount of the debt and interest due the mortgagee to date of tender, and the plaintiff shall deposit with the officer the amount of such debt and interest within five days after the receipt of such demand, and within five days after receipt by him of said amount the officer must pay or tender same to the mortgagee or must deposit said amount with the county clerk or treas-".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2040—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 19, 1951, after "appoint", strike out "not".

Amendment No. 2

On page 2 of said bill, strike out line 11.

Amendment No. 3

On page 2, line 14, of said bill, after "fees", insert "and traveling expenses".

Amendment No. 4

On page 2, line 15, of said bill, strike out "current appropriation"; and strike out all of lines 16 and 17, and insert "General Fund of the State."

Amendment No. 5

On page 3 of said bill, strike out line 12.

Amendment No. 6

On page 3, line 15, of said bill, after "fees", insert "and traveling expenses".

Amendment No. 7

On page 3, line 16, of said bill, strike out "current appropriation"; and strike out all of lines 17 and 18, and insert "General Fund of the State."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 461—An act to amend Section 737rr of the Political Code, and 79.44 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "superior", insert "court".

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "fifteen thousand dollars ($15,000)."

Amendment No. 3

On page 1 of said bill, strike out line 10, and insert "fifteen thousand dollars ($15,000)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "seventeen thousand five hundred dollars ($17,500)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1118—An act to amend Section 73700 of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "73700", and insert 737oo".

Amendment No. 2

On page 1, line 1, of said bill strike out "73700", and insert "737oo".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert
"737oo. The annual salary of each [of the judges] *judge* of the".

Amendment No. 4

On page 1 of said bill, strike out line 5, and insert "fifteen thousand dollars ($15,000)."

Amendment No. 5

On page 1, line 8, of said bill, strike out "of the judges", and insert "judge".

Amendment No. 6

On page 1 of said bill, strike out line 10, and insert "fifteen thousand dollars ($15,000)".

Amendment No. 7

On page 1, line 12, of said bill, strike out "73700", and insert "737oo".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2216—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, before "dollars", insert "fifteen thousand".

Amendment No. 2

On page 1, line 5, of said bill, after "$", insert "15,000".

Amendment No. 3

On page 1, line 10, of said bill, before "dollars", insert "fifteen thousand".

Amendment No. 4

On page 1, line 10, of said bill, after "$", insert "15,000".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2818—An act to amend Section 737LL of the Political Code, relating to salaries of Superior Judges in the City and County of San Franciscso.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert

"An act to amend Sections 737a, 737kk, and 737*ll* of the Political Code, and Sections 79.1, 79.37, and 79.38 of the Code of Civil Procedure, relating to salaries of superior court judges."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 737a of the Political Code is amended to read:

737a. The annual salary of [each of] the Judges of the Superior Court in and for the County of Alameda is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 2. Section 737kk of the Political Code is amended to read:

737kk. The annual salary of [each of] the Judges of the Superior Court in and for the County of San Diego is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 3. Section 737*ll* of said code is amended to read:".

Amendment No. 3

On page 1, line 3, of said bill, strike out "each of".

Amendment No. 4

On page 1 of said bill, after line 6, insert

"SEC. 4. Section 79.1 of the Code of Civil Procedure is amended to read:

79.1. The annual salary of each [of the judges] *Judge* of the Superior Court in and for the County of Alameda is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 5. Section 79.37 of the Code of Civil Procedure is amended to read:

79.37. The annual salary of each [of the judges] *Judge* of the Superior Court in and for the County of San Diego is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 6. Section 79.38 of the Code of Civil Procedure is amended to read:

79.38. The annual salary of each [of the judges] *Judge* of the Superior Court in and for the City and County of San Francisco is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 7. Sections 4, 5 and 6 of this act become operative only if Sections 737a, 737kk and 737*ll* of the Political Code are repealed by the Legislature at the 1951 Regular Session and in such case at the same time as said repeals take effect."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3357—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "500,000", and insert "600,000".

Amendment No. 2

On page 1, lines 11 and 12, of said bill, strike out "nine hundred dollars ($900)", and insert "one thousand dollars ($1,000)".

Amendment No. 3

On page 1, line 13, of said bill, strike out "500,000", and insert "600,000".

Amendment No. 4

On page 1, line 16, of said bill, strike out "600,000", and insert "750,000".

Amendment No. 5

On page 1, line 21, of said bill, strike out "_____ dollars ($_____)", and insert "four hundred fifty dollars ($450)".

Amendment No. 6

On page 1, line 22, of said bill, strike out "500,000", and insert "700,000".

Amendment No. 7

On page 1, lines 22 and 23, of said bill, strike out "600,000", and insert "750,000".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1041—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, after "sturgeon", insert "or parts thereof".

Amendment No. 2

On page 1, line 3, of said bill, after "be", insert "imported,".

Amendment No. 3

On page 1, line 4, of said bill, after "State", strike out "when the same are inspected and".

Amendment No. 4

On page 1 of said bill, strike out lines 5 to 8, inclusive, and insert "under regulations which the commission is hereby authorized to prescribe."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Concurrent Resolution No. 57—Relative to congratulating the University of San Francisco for establishment of a compulsory course in the evils of Communism.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 13, of the printed measure, strike out the dash, and insert ", such as".

Amendment No. 2

On page 1, line 14, of said measure, after "Appeal," insert "and".

Amendment No. 3

On page 1, line 15, of said measure, strike out "—among others".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 284—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, after "fee", insert ", except that any person whose failure to appear for examination is due to service in any branch of the Armed Forces of the United States during a period of war as defined in Section 18 of the Military and Veterans Code shall, upon application made not later than one year from the date of discharge or return to inactive military service, and upon the filing of an affidavit showing the date of entrance into service, whether still in service, or the date of discharge or return to inactive status, be restored to the eligible list and permitted to take the examination without payment of further examination fee".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 289—An act to add Sections 9594.1, 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9594.1,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Section 9594.2 is added to the Business and Professions Code, to read:".

Amendment No. 3

On page 1, line 13, of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 4

On page 1, line 24, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 5

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

Amendment No. 6

On page 2, line 10, of said bill, after "been", insert "or will be".

Amendment No. 7

On page 2, line 13, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 8

On page 2, line 18, of said bill, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 9

On page 2, line 26, of said bill, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 10

On page 2, line 30, of said bill, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 11

On page 2, line 31, of said bill, strike out "doing", and insert "commission".

Amendment No. 12

On page 2, line 32, of said bill, after "licensee", insert "in the course of his business".

Amendment No. 13

On page 2, line 34, of said bill, strike out "SEC. 10", and insert "SEC. 9".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1951, strike out lines 15 to 17, inclusive, and insert ". No".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1053—An act to add Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 3, 1951, and insert

"An act to add Section 5416 to the Health and Safety Code, relating to sanitary conditions on construction sites."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 5416 is added to the Health and Safety Code to read:".

Amendment No. 3

On page 1, line 6, of said bill, strike out "2450", and insert "5416".

Amendment No. 4

On page 1, line 14, of said bill, strike out "effectively".

Amendment No. 5

On page 1, line 15, of said bill, strike out "screened and".

Amendment No. 6

On page 1, line 17, of said bill, strike out "enforcement agency", and insert "local health officer".

Amendment No. 7

On page 1, line 17, of said bill, after "facilities", insert "or modifications of those specified".

Amendment No. 8

On page 1, line 21, of said bill, strike out "article", and insert "section".

Amendment No. 9

On page 2 of said bill, strike out lines 1 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1109—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26271(a), 26272, 26273, 26274, 26275, 26288, 26290, 26292, and 26360 of, and to add Sections 26202.5, 26202.7, 26211.5, 26286.5, 26286.6, 26293.5, 26305, to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "26293.5".

Amendment No. 2

On page 2, line 26, of said bill, strike out ", or brand".

Amendment No. 3

On page 2, line 27, of said bill, strike out ", or brand".

Amendment No. 4

On page 2, line 45, of said bill, strike out ", or brand (if such there be)".

Amendment No. 5

On page 2, line 46, of said bill, strike out ", or brand".

Amendment No. 6

On page 3, line 11, of said bill, strike out ", or brand (if such there be)"

Amendment No. 7

On page 3, line 13, of said bill, strike out ", or brand".

Amendment No. 8

On page 5 of said bill, strike out lines 40 to 49, inclusive.

Amendment No. 9

In line 3 of the title of said bill, strike out "26275, 26288, 26290, 26292," and insert "26288, 26290, and 26292".

Amendment No. 10

In line 4 of the title of said bill, strike out "and 26360"

Amendment No. 11

In line 5 of the title of said bill, strike out "26286 5, 26286 6, 26293 5, 26305", and insert "and 26286.5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28294, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280.1, 28282.5, 28292, and 28299 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "28294,".

Amendment No. 2

On page 2 of said bill, strike out lines 21 to 29, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out ", 7332, and 7334", and insert "and 7332".

Amendment No. 2

On page 2 of said bill, strike out lines 6 and 7, and insert

"(b) Each shop may employ one junior operator and shops employing more than three registered cosmetologists may employ one additional junior operator for each two registered cosmetologists after the first two. Junior operators may not be employed otherwise than to the extent provided in this section."

Amendment No. 3

On page 2 of said bill, strike out lines 8 and 9.

Amendment No. 4

On page 2, line 10, of said bill, strike out "(d)", and insert "(c)".

Amendment No. 5

On page 2, line 10, of said bill, strike out "training", and insert "experience".

Amendment No. 6

On page 2, line 11, of said bill, strike out "in this State or any other state".

Amendment No. 7

On page 2, line 13, of said bill, strike out "(e)", and insert "(d)".

Amendment No. 8

On page 2, line 18, of said bill, strike out "(f)", and insert "(e)".

Amendment No. 9

On page 2 of said bill, strike out lines 23 to 25, inclusive, and insert "any person who engages, under the immediate supervision of a licensed hairdresser and cosmetician or cosmetologist manager operator, in the practice of cosmetology, except the branch of".

Amendment No. 10

On page 2 of said bill, strike out lines 27 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3175—An act to amend Section 3227 of the Public Resources Code, relating to the statement filed by persons producing oil or gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3227", and insert "Sections 3215, 3227, and 3605".

Amendment No. 2

In line 2 of the title of said bill, strike out "the statement filed by persons producing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3215 of the Public Resources Code is amended to read:

3215. Upon the completion of any well or upon the suspension of operations upon any well, for a period of six months[,] if it is a prospect well, or for a period of thirty days[,] if it is in proved territory, copies of the log, *electrical log*, core record, and history, in duplicate and in such form as the supervisor may direct, shall be filed with the district deputy within 10 days after such completion, or after the expiration of said *six-month or* 30-day period Like copies shall be filed upon the completion of [any] additional work in [the deepening of] any well

SEC. 2. Section 3227 of said code is".

Amendment No. 4

On page 1 of said bill, after line 27, insert

"(e) "Pool" means an underground reservoir containing a common accumulation of crude petroleum oil or natural gas or both. Each zone of a general structure which is separated from any other zone in the structure is a separate pool.

SEC. 3. Section 3605 of said code is amended to read:

3605. The provisions of this chapter do not apply to any [field] *pool* producing oil or gas on August 14, 1931."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3165—An act to amend Section 67 of the Agricultural Code, relating to agriculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 67 of the Agricultural Code, relating to agriculture", and insert "add Section 12516 to the Business and Professions Code, relating to weighing of livestock".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 12516 is added to the Business and Professions Code, to read:

12516 It shall be unlawful for any person auctioning or selling livestock on the basis of weight to position or locate a weighing device so that its indications cannot be readily and accurately observed during the weighing operation by any person buying or bidding to buy livestock."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1689—An act to add Chapter 2, consisting of Sections 6100 to 6106 to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 3, lines 27 and 28, of the printed bill, strike out "two dollars and sixty cents ($2.60)", and insert "five dollars ($5)".

Amendment No. 2

On page 3, line 31, of said bill, strike out "two dollars and thirty cents ($2.30)", and insert "four dollars and fifty cents ($4.50)".

Amendment No. 3

On page 3, lines 51 and 52, of said bill, strike out "two hundred eighty-six thousand five hundred dollars ($286,500)", and insert "five hundred fifty-eight thousand five hundred thirty dollars ($558,530)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.1, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"1511.1. Lump sum income received and available for the support of a needy child, which has accrued over a period of two or more months and may be expected to be repeated in the future, shall be utilized to meet the needs of such needy child. No portion thereof shall be considered personal property."

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 17, inclusive, and insert

"2020.01. Lump sum income received by a recipient which has accrued over a period of two or more months and may be expected to be repeated in the future shall be utilized by the recipient to meet his needs. No portion thereof shall be considered as personal property."

Amendment No. 3

On page 1 of said bill, strike out lines 19 to 25, inclusive, and insert

"3080.01. Lump sum income received by a recipient which has accrued over a period of two or more months and may be expected to be repeated in the future shall be utilized by the recipient to meet his needs. No portion thereof shall be considered as personal property. Provisions of this section shall not apply to earned income which is exempt under Section 3084.3."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3055—An act to add Section 1508 to the Welfare and Institutions Code, relating to applicants residing with a stepparent.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"1508. Notwithstanding the provisions of Section 209 of the Civil Code, a husband is bound to support, if he is able to do so, his wife's children by a former husband, if such children are recipients of aid under this chapter or if such children are likely to become eligible for aid under this chapter. Nothing in this section shall be construed to alter the legal obligations of a natural father to support his children."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3323—An act to amend Section 270 of the Code of Civil Procedure, relating to the qualifications of official reporter.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "270 of", and insert "261b of and to add Section 261h to".

Amendment No. 2

In line 2 of the title of said bill, strike out "the qualifications of official reporter", and insert "phonographic reporters. Salary: Fees: Taxation of fees as costs: Transmission of fees to treasurer".

Amendment No. 3

On page 1, line 1, of said bill, strike out "270", and insert "261b".

Amendment No. 4

On page 1 of said bill, strike out all of lines 3 to 25, inclusive, and insert

"261b. In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the Federal Census taken in 1940, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said courts, by having performed the duties of phonographic reporters, as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to record the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, *in counties of 275,000 inhabitants and up to 760,000*, a fee of three dollars ($3), *and in counties of 760,000 and less than 1,000,000 inhabitants, as determined by the 1950 census, a fee of five dollars ($5)* shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervener, respondent, corespondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3), *or five dollars ($5)*, as in this section provided.

(4) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county.

SEC. 2. Section 261h is added to the Code of Civil Procedure, to read:

261h. Notwithstanding the provisions of Section 261b, or any other section in conflict herewith, in each county, or city and county, having a population of over 760,000 and less than 1,000,000 inhabitants, as determined by the 1950 Census, the salary of the regular official phonographic reporters shall be the sum of seventy-five hundred dollars ($7,500) per annum, and the compensation of official phonographic reporters pro tempore shall be at the rate of twenty-five dollars ($25) per day."

Amendment No. 5

Strike out all of page 2 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, before "census", insert "subsequent".

Amendment No. 2

On page 1 of said bill, after line 15, insert "The inhabitants of a military camp or reservation situated within a judicial district, who are serving in the armed forces, shall be excluded in determining the population of said district

If a judicial district is formed from part of an existing township or district, or from parts of existing townships or districts, the population thereof may be determined according to the figures shown by the Federal Census for census tracts or other units recognized by the Bureau of Census which are located within said district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2902—An act to add Section 1069 to the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Not", and insert "No one company or corporation or its subsidiaries may can or pack".

Amendment No. 2

On page 1, line 4, of said bill, strike out "may be taken".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 3254—An act to add Section 515 to the Public Resources Code, relating to access to public hunting and fishing grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "515 to the Public Resources", and insert "48.5 to the Fish and Game".

Amendment No. 2

On page 1, line 1, of said bill, strike out "515 is added to the Public Resources", and insert "48.5 is added to the Fish and Game".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4; and in line 5, strike out "the Governor," and insert

"48 5. The commission".

Amendment No. 4

On page 1, line 9, of said bill, strike out "Fish and Game Commission", and insert "commission".

Amendment No. 5

On page 1, line 10, of said bill, strike out "be secured by con-"; and strike out lines 11 to 14, inclusive, and insert "not be acquired by eminent domain proceedings."

Amendment No. 6

On page 1 of said bill, strike out lines 15 to 17, inclusive, and insert

"The commission may construct or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 3229—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend section 50 of", and insert "add Section 51.5 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 51.5 is added to the Fish and Game Code, to read:

51.5. Licenses issued prior to the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature shall be valid thereafter until the period for which they were issued expires. The holder of such a license shall continue to have any right to take or cause to be taken quail or pheasants or both which may have accrued under subdivision (d) of Section 51 prior to its amendment at said 1951 Regular Session. Otherwise the holder of such license shall be subject to the provisions of this chapter as amended."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 895—An act to amend Sections 8525, 8529, and 8674 of, and to add Section 8529.5 and Article 3.5, comprising Sections 8558 and 8559, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 23, 1951, strike out lines 17 to 19, inclusive, and insert "adopt, promulgate, and enforce reasonable".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 896—An act to amend Sections 8525, 8635, 8636, 8642, 8643, 8644, 8645, 8646 and 8648 of, and to add Sections 8613, 8614, 8615, 8616, 8617, and 8618 to, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 8525, 8635, 8636, 8642, 8643, 8644," ; strike out line 2 of the title ; and in line 3 of the title, strike out "8615, 8616, 8617, and 8618 to," and insert "add Section 8525.1 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 8525.1 is added to the Business and Professions Code, to read:

8525.1. Whenever corrective or preventive work relating to wood destroying organisms is done, it shall comply with the minimum standards of the applicable provision of this section.

The board, subject to approval by the director, may adopt reasonable rules and regulations implementing this section.

(a) Foundations, Footings, and Grade Levels:

The top of a foundation or masonry footing, or its attached flash wall, if present, must be above the exterior grade level. If the top is below the grade, or if there is any evidence of loose stucco, spongy concrete, evidence of moisture in the adjacent timbers, or active insect or fungus infestation, a recommendation shall be made as follows (1) To extend the existing foundation or footing to a safe level with poured concrete or masonry set in cement mortar; (2) if drainage and slope stability is satisfactory or if a back fill curb is installed, to lower the grade to a safe level; (3) to construct a concrete flash wall, or (4) if the top of the foundation or footing is even with, or one inch or less above the grade, the licensee may or may not recommend correction, depending on the location of the hazard with respect to the slope of the soil, age of the structure and freedom from wood destroying organisms.

(b) Flash Walls: Stucco shall be broken or chipped off at the sill line Wood siding and framing shall be covered with a metal or felt flashing. Concrete shall be poured against the old foundation after brush coating with bonding cement or wet dusting with dry cement, and shall be properly anchored to insure against shrinking away The flash wall shall not be less than three inches in thickness, with the top, properly sloped to drain water away from the walls of the building, and shall extend from a point not less than four inches below the top of the foundation to a point not less than three inches above the natural grade.

(c) Debris: When present, cellulose debris of a size readily removable by tossing or raking shall be removed from the sub-floor area and removed from the premises.

(d) Earth Contact: Recommendation shall be made to eliminate earth-wood contacts of any nature, whether described in this section or not.

(e) Porches and Terraces: Under the following conditions recommendation shall be made to seal off earth filled porches and slabs with a four inch thick barrier wall constructed of poured concrete or masonry set in cement mortar:

(1) When earth fill has contact with any part of the adjoining wood framing, and such contact can be determined.

(2) When earth to wood contact is prevented only by loose, broken, or porus stucco.

(3) When earth to wood contact is prevented by defective flashing

(4) When visible evidence of wood destroying organisms is present and traceable to the source

(f) Concrete Porch Over Wood Framing: If fungus is present, a recommendation shall be made to correct the cause of such infection.

(g) Plastered Fences, Patio Walls, Porch Rails, or any Other Appurtenance of Like Kind: Where no footing exists, or where the footing is even with or below the grade or top of the adjoining slab, a recommendation shall be made to separate the wood framing in the appurtenance from the adjoining wood framing with a poured concrete plug, or wood framing shall be placed on a footing constructed, or poured concrete or masonry set in cement mortar, the top of which shall extend to the top of the adjoining slab and shall extend a minimum of four inches above the grade.

(h) Arch Columns, Portecochere Columns and Walls, Columns, Pilasters, Buttresses, and all Other Appurtenances of Like Kind: Where no footing exists, or where the footing is even with or below the grade or top of the adjoining slab, a recommendation shall be made to place wood framing in the appurtenance on a footing constructed of poured concrete or masonry set in cement mortar, the top of which shall extend to the top of the adjoining slab and shall not be less than four inches above the grade."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive; on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 33, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1221—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on April 19, 1951, strike out "nine", and insert "seven".

Amendment No. 2

On page 2, line 7, of said bill, strike out "Three", and insert "Four".

Amendment No. 3

On page 2 of said bill, strike out lines 9 and 10, and insert "One administrator of a county hospital who shall not be either a physician or surgeon or practical nurse; and".

Amendment No. 4

On page 2, line 14, of said bill, strike out "Three", and insert "Two".

Amendment No. 5

On page 2, line 26, of said bill, strike out "three", and insert "four".

Amendment No. 6

On page 3, line 43, of said bill, strike out "Five", and insert "Four".

Amendment No. 7

On page 5, line 43, of said bill, strike out "1954", and insert "1955".

Amendment No. 8

On page 6, line 2, of said bill, strike out "six months", and insert "one year".

Amendment No. 9

On page 7, line 39, of said bill, strike out "cooking and the".

Amendment No. 10

On page 7, line 45, of said bill, strike out "blood pressure readings,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3183—An act to add Chapter 5.5 to Part 2, Division 1 of the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 5.5 to Part 2, Division 1 of", and insert "amend Section 4014 of, and add Section 4017 to,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4014 of the Health and Safety Code is amended to read:

4014. Upon receipt of a petition filed pursuant to this chapter the board shall make a thorough investigation of the proposed or existing plant, works, system, or water supply, and all other circumstances and conditions which it deems material. *As a part of such investigation it may cause special studies and examinations to be made, including but not limited to fluoridation and treatment of public domestic water supplies, not only for the purpose of rendering domestic water supplies potable, but also for the purpose of determining the advisability of adding substances to the domestic water supply in the interest of advancing dental health and the public health generally. It may also investigate and advise public authorities upon procedures to be used in connection with the foregoing matters*

The board may for good cause grant a temporary permit to any person who has filed a petition for a permit as provided in this chapter upon such terms as it shall determine are in the public interest pending the completion of the investigation required by this section of the proposed or existing plans, works, system or water supply which temporary permit shall terminate upon the date therein specified. Said temporary permit may be revoked or suspended as provided in this code with respect to the revocation or suspension of a permit as provided in this chapter.

SEC. 2 Section 4017 is added to said code to read:

4017. All public or private utilities which shall be engaged in the storage or distribution of water for domestic consumption, including particularly all county water districts, municipal water districts, public utility districts, municipal utility districts, metropolitan water districts, irrigation districts, and all cities and counties, shall be, and they are hereby, authorized and empowered to treat water intended for domestic consumption and to introduce into such water fluorine or other materials if done under permit from the board

In the absence of negligence or willful misconduct, no such public or private utility, city, county, or district shall be liable, nor shall any stockholder, director, officer, agent, servant or employee thereof be liable, to any person on account of any monetary or other damage which may be suffered or sustained by reason of the treatment of such water or by reason of the introduction of such substance into such water if and when done in accordance with the provisions of a valid permit from the board."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of page 2

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 8—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read second time, and ordered to third reading.

Senate Bill No. 737—An act to amend Section 1311 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read second time, and ordered to third reading.

Senate Bill No. 738—An act to amend Section 1252 of the Fish and Game Code, relating to beaver

Bill read second time, and ordered to third reading.

Senate Bill No. 1446—An act to amend Section 929 of the Fish and Game Code, relating to sardines.

Bill read second time, and ordered to third reading.

Senate Bill No. 287—An act to amend Section 1025 of the Agricultural Code, relating to statements of chemical analysis of agricultural minerals.

Bill read second time, and ordered to third reading.

Senate Bill No. 288—An act to amend Section 1061 of the Agricultural Code, relating to definitions of economic poisons.

Bill read second time, and ordered to third reading.

Senate Bill No. 952—An act to amend Sections 1521 and 1521.2 of the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 955—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 959—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, lines 11 and 12, of the printed bill, as amended in the Senate on April 26, 1951, strike out "Department of Agriculture", and insert "General".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

In line 2 of the title of said bill, strike out "indefinitely".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, strike out "repealed.", and insert "amended to read:
1181 3. The provisions of this chapter shall have no force and effect after December 31, [1951] *1953.*"

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 946—An act to amend Section 1503 and to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Senate on April 17, 1951, strike out "and relatives".

Amendment No. 2

On page 1, line 17, of said bill, strike out "and relatives".

Amendment No. 3

On page 1 of said bill, after line 19, insert
"For the purposes of this chapter the value of supplies, equipment and other items which are a part of a program to assist in the maintenance and self-support shall not be considered as personal property as established by Section 1521."

Amendment No. 4

On page 1 of said bill, strike out lines 20 and 21.

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 951—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to acceptance of rehabilitative training.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 24, 1951, strike out "or stepparent".

Amendment No. 2

On page 1, line 12, of said bill, strike out "or stepparent".

Amendment No. 3

On page 1, line 20, of said bill, strike out "or stepparents".

Amendment No. 4

On page 1, line 22, of said bill, strike out "1521.2", and insert "1521".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 89—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 11, 1951, strike out "Sections 298, 307 and 502" and insert "Section 307".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive.

Amendment No. 3

On page 1, line 14, of said bill, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 4

On page 1, line 24, of said bill, after "conviction", insert "other than under Section 501".

Amendment No. 5

On page 1, line 25, of said bill, strike out "45", and insert "90".

Amendment No. 6

On page 1, lines 25 and 26, of said bill, strike out "unless otherwise hereinafter provided and".

Amendment No. 7

On page 1, line 27, of said bill, after "292", insert "or recommends no such suspension".

Amendment No. 8

On page 2, line 5, of said bill, after "second", strike out "such".

Amendment No. 9

On page 2, line 5, of said bill, after "years", insert ", of any offense involving driving a motor vehicle while under the influence of intoxicating liquor,".

Amendment No. 10

On page 2, lines 9 and 10, of said bill, strike out "within seven years".

Amendment No. 11

On page 2, line 11, of said bill, strike out "two", and insert "three".

Amendment No. 12

On page 2, line 27, of said bill, after "shall", insert ", unless the court recommends to the department that there be no license suspension,".

Amendment No. 13

On page 2 of said bill, strike out lines 30 to 50, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 110—An act to amend Section 736 of, and to add Section 737.5 to, the Vehicle Code, relating to procedure after arrest for a violation of the Vehicle Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Senate on April 18, 1951, strike out "or", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 883—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and court orders in determining the mental health of a person alleged or found to be mentally ill.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 6, 1951, strike out "five", and insert "four".

Amendment No. 2

On page 1, line 7, of said bill, strike out "five-day", and insert "four-day".

Amendment No. 3

On page 2, line 14, of said bill, strike out "30", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 25, 1951, strike out "amend Section 204f of, and to".

Amendment No. 2

In line 2 of the title of said bill, strike out the first comma.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive.

Amendment No. 4

On page 1, line 15, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 44—Relative to Sequoia Gigantea groves.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 13, of the printed measure, after "possibility", insert a comma.

Amendment No. 2

On page 1, line 14, of said measure, strike out "and".

Amendment No. 3

On page 1, line 14, of said measure, after "desirability", insert "unit and total cost".

Amendment No. 4

On page 1 of said measure, after line 19, insert

"*Resolved*, That the State Park Commission and the State Forester are requested to furnish a copy of their report to each Member of the Legislature, including therein a listing of Sequoia Gigantea groves that have heretofore been taken into public ownership showing, unit and total cost, and location; and be it further

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 223—An act to amend Sections 1, 2, 10, and the heading of Division 1 of, to repeal Sections 13 and 1420 of, and to add Sections 13, 13.1, and 13.2 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, abolishing the Division of Fish and Game in the Department of Natural Resources, establishing a Department of Fish and Game and prescribing the duties, powers, and jurisdiction of said department and the Fish and Game Commission, and to amend Section 12040 of the Government Code, placing the Director of Fish and Game on the Governor's Council.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 4 of the printed bill, after line 42, insert

"Sec. 12. This act shall be known and may be cited as the Charles Brown Fish and Game Reorganization Act of 1951."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1742?

Amendment No. 1

On page 3 of the printed bill, between lines 28 and 29, insert

"(e) This act shall not operate to confirm, validate or legalize a contract between any district and the United States if a court determination of the validity of the contract is provided for by the state or federal laws under which the contract has been negotiated."

Amendment No. 2

On page 4 of said bill, strike out lines 1 to 4, inclusive, and insert

"SEC. 8. As used in this act, the word "now" means the date on which the Governor approves this act; the word "heretofore" means any time prior to and including such date of approval; and the word "hereafter" means any time subsequent to such date of approval."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1742 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1742 ordered enrolled.

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1743?

Amendment No. 1

On page 3 of the printed bill, between lines 29 and 30, insert

"(e) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States if a court determination of the validity of the contract is provided for by the state or federal laws under which the contract has been negotiated."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1743 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1743 ordered enrolled.

Assembly Bill No. 2310—An act to amend Section 14071 of the Education Code, relating to leaves of absence for noncertificated employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2310?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1951, after "absence", insert "and vacations".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2310 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon,

McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2310 ordered enrolled.

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2320?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "Public agencies may agree to exercise powers jointly."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2320 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—57.

NOES—None.

Assembly Bill No. 2320 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1317

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1317, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1317?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "16340", and insert "16430".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1317 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1317 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 22
Senate Joint Resolution No. 24

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

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 48
Senate Concurrent Resolution No. 57

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 2193
Assembly Bill No. 2194
Assembly Bill No. 2511
Assembly Bill No. 2721

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

SILLIMAN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 23
Assembly Bill No. 3391

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

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 645
Senate Bill No. 1601

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

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2720

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

SILLIMAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 238
Senate Bill No. 505
Senate Bill No. 506
Senate Bill No. 648
Senate Bill No. 1076

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

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1217
Assembly Bill No 2493

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

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1567

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

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 741
Senate Bill No 872
Assembly Bill No. 1561
Assembly Bill No. 1577
Assembly Bill No. 2929

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

NOTE: Through inadvertance Assembly Bill No. 872 was reported out on this report instead of Senate Bill No. 872. See page 4238 for authority to correct.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3199

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

DUNN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1568—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood,

Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3060—An act to amend Section 19368 of the Government Code, relating to employees in the state civil service.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 880—An act to add Sections 31470.1, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31558, 31720.5, 31726.5, 31727.2, 31727.4, 31765, 31785, 31786, 31787, 31788, and Article 6.5 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 32622, 31623, 31624, 31627, 31676.2 and 31676.4 of the Government Code, relating to retirement of county employees.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.
NOES—Hinckley, Kirkwood, and Smith—3.

Notice of Motion to Reconsider Assembly Bill No. 3307

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3307 was this day passed.

Assembly Bill No. 3310—An act to amend Section 4800 and to repeal Section 4801 of the Labor Code, relating to workmen's compensation.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—54.

NOES—Cloyed, Hinckley, Kirkwood, Lanterman, Levering, Smith, and Waters—7

Notice of Motion to Reconsider Assembly Bill No. 3310

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3310 was this day passed.

Assembly Bill No. 3311—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3312—An act to amend Section 4850 and to repeal Section 4851 of the Labor Code, relating to workmen's compensation.

Bill read third time.

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

AYES—Berry, Brown, Coats, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Elliott, Gaffney, Geddes, Hawkins, Henderson, Hollibaugh, Lyon, Maloney, McMillan, Morris, Niehouse, Porter, Rumford, and Shaw—23

NOES—Babbage, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Conrad, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, McCarthy, McGee, Moss, Munnell, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—35.

Notice of Motion to Reconsider Assembly Bill No. 3312

Mr. Morris gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3312 was this day refused passage.

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3066, on motion of Mr. Lindsay.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 478—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors;

Assembly Bill No. 520—An act to amend Sections 10492 and 10493 of the Insurance Code, relating to benefit and relief associations;

Assembly Bill No. 524—An act to amend Sections 10270, 10270.4, 10271, 10292, 10381, 10382, 10390, and 10400 of the Insurance Code; to add Sections 10273, 10274, 10275, 10309, 10329, 10359, 10369.50, 10381.5, and 10383 to said code; and to add Articles 3a, comprising Sections 10320 to 10328, inclusive, 4a, comprising Sections 10350 to 10350.12, inclusive, and 5a, comprising Sections 10369.1 to 10369.12, inclusive, to Chapter 4, Part 2, Division 2 of said code, relating to disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 627—An act to amend Sections 3102, 3104 and 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 637—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees;

Assembly Bill No. 640—An act to add Section 31784 to the Government Code, relating to the retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 642—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees;

Assembly Bill No. 1504—An act to add Chapter 2.5 consisting of Sections 5300 to 5303 to Part 1 of Division 6 of, and to add Section 5250.5 to, the Welfare and Institutions Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene;

Assembly Bill No. 1532—An act to amend Section 5701 of and to add Section 5701.3 and Section 5701.4 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith;

Assembly Bill No. 1641—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions;

Assembly Bill No. 1977—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 2044—An act to add Section 1160 to the Fish and Game Code, relating to property damage by hunters and fishermen;

Assembly Bill No. 2068—An act to add Section 1163 to the Fish and Game Code, relating to shooting near dwellings;

Assembly Bill No. 2142—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6608, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Concurrent Resolution No. 47—Relating to the reception given General Douglas MacArthur by the City of San Francisco;

Assembly Concurrent Resolution No. 55—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of said city at a special election held therein on the ninth day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Joint Resolution No. 28—Relative to memorializing Congress to amend the Career Compensation Act of 1949 (63 Stat 802) to authorize crediting service of cadets and midshipmen for purposes of pay and longevity;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 784

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

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1152

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

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1070—An act to add Section 1383 to the Water Code, relating to appropriation of water.

Bill read third time.

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

AYES—Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—47.

NOES—Beck, Burkhalter, George D. Collins, Elliott, Fleury, Hagen, Henderson, Klocksiem, Moss, Munnell, Parker, and Shaw—12

Bill ordered transmitted to the Senate

Assembly Bill No. 2931—An act to add Section 1157.1 to the Government Code, relating to public agencies.

Bill read third time.

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

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2725—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No 51

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

CROWLEY, Chairman

Above reported resolutions ordered on file.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 231
Senate Bill No. 370
Senate Bill No. 876

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

STEWART, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 866—An act to amend Sections 1184, 1184d, 1184e, 1190 1, 1191.1, and 1192 1 of the Code of Civil Procedure, and to add Section 16009 5 to the Government Code, relating to mechanics' liens, and the service of notices and liens upon the State.

Bill read third time.

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

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

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1836—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.45 a.m., Mr. Parker asked for, and was granted, unanimous consent that Mr. McFall be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

At 10.46 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1981—An act to amend Section 43 of the Public Utilities Act, relating to public utilities.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1981

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1981 was this day passed.

Assembly Bill No. 1121—An act to amend Sections 1709, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6202, 6502, 9304, and 9305 of the Corporations Code; to add thereto Section 3802; to repeal Section 9700 thereof; and to re-entitle Article 5 of Chapter 1, Part 8, Division 1, Title 1 of said code, all relating to corporations.

Bill read third time.

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

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

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 23 to 26, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 410

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

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 234

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 984
Assembly Bill No. 985

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

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1234
Assembly Bill No. 1235
Assembly Bill No. 1311
Assembly Bill No. 1526
Assembly Bill No. 2695

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 136

By Messrs. Grant, Porter, Maloney, Chapel, Rosenthal, Thomas, Berry, Klocksiem, Condon, Cooke, Burkhalter, Doyle, Geddes, Erwin, Hinckley, Clarke, McCollister, and Conrad:

House Resolution No. 136

Relating to wishing former Governor Merriam a rapid recovery from his illness

WHEREAS, News has reached us of the illness of former Governor Frank F. Merriam, much to the individual and sincere disquiet of the Members of the Legislature, who recall his contributions to adapting government to meet human needs; and

WHEREAS, Frank F. Merriam began his career as a public servant in the Iowa Legislature, in which he served two terms, and then four years as the auditor of that State, and

WHEREAS, He was a modern pioneer of the West from the days he operated a newspaper in the Territory of Oklahoma, to the days of his civic leadership in Long Beach, California, when for the second time a popular demand arose for his entrance into state service He became a Member of the Assembly in 1917, where he was to serve for the 10 years following As chief of the Republican Party in California he successfully directed the election of a fellow Californian to the Presidency of the United States; and

WHEREAS, Such experience in journalism, pioneering and civic development, and his ability in working with all people's problems cried for broader fields to cultivate and harvest, in the tradition of his farming forbears, the people elected him Lieutenant Governor in 1930; and

WHEREAS, It would seem that by Providence a man of his solid and certain character was to be the State's Chief Executive after the collapse of national finance and distribution and during the State's struggle for economic rehabilitation, Governor Frank Merriam fulfilled the highest demands of the day in relief emergencies and kindred problems A man of conservative views, he successfully met the challenges of the hour with liberal administration; and

WHEREAS, The State will ever be grateful for the willingness of his abundant heart and his distinguished personal presence in all forms of public endeavor; and

WHEREAS, He has been basking in the sunshine of a California he helped build and guide; now, therefore, be it

Resolved by the Assembly of the State of California, That there be wished for him a rapid recovery and the best of health; and be it further

Resolved, That the Chief Clerk transmit a suitably prepared copy of this resolution to our colleague, at 20 Lindero Avenue, Long Beach

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3368

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day concurred in Senate amendments to Assembly Bill No. 3368.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3368

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3368?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 6, 1951, after "city", insert "within 10 years of the effective date of this act".

Amendment No. 2

On page 3 of said bill, as amended, after line 10, insert

"SEC. 2 The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the office of the recorder of Marin County, the area of state lands described in this act."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 3368 by the following vote:

AYES—Brady, Dolwig, Grant, Shaw, and Waters—5.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

Appointment of Committee on Conference Concerning Assembly Bill No. 3368

The Speaker announced the appointment of Messrs. McCollister, Grant, and Dolwig as a Committee on Conference concerning Assembly Bill No. 3368.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

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

Amendment No. 2

On page 1, line 5, of said bill, strike out "earned", and insert "paid".

Amendment No. 3

On page 1, line 8, of said bill, strike out "subsequent to", and insert "within the 12-month period following".

Amendment No. 4

On page 1, line 9, of said bill, strike out "has earned", and insert "was paid".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1369—An act providing for the constitution of the municipal court in a district embracing the City of Palo Alto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 61—An act relating to notaries public.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46 1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "310,".

Amendment No. 2

On page 2 of said bill, strike out lines 35 to 52, inclusive; and on page 3, strike out lines 1 to 11, inclusive, and insert "wages paid to such individual for employment by employers during the quarter of his base period in which such wages were the highest:

A Amount of wages in highest quarter	B Weekly benefit amount
$75-$579 99	As provided in Section 54
580- 611 99	$25
612- 643 99	26
644- 675 99	27
676- 707.99	28
708- 739.99	29
740 and over	30".

Amendment No. 3

On page 3, lines 15, 16, and 17, of said bill, strike out "who would have been paid unemployment compensation disability benefits for any week except for his receipt of", and insert "otherwise eligible for benefits who is receiving".

Amendment No. 4

On page 3, line 19, of said bill, strike out "such week", and insert "any day".

Amendment No. 5

On page 3, line 20, of said bill, strike out "any", and insert "one-seventh (1/7) of the".

Amendment No. 6

On page 3, line 21, of said bill, strike out "such week", and insert "for the calendar week containing such day".

Amendment No. 7

On page 4 of said bill, strike out lines 3 to 51, inclusive; and on page 5, lines 1 to 6, inclusive.

Amendment No. 8

On page 5, line 7, of said bill, strike out "7", and insert "6".

Amendment No. 9

On page 5, line 15, of said bill, strike out "8", and insert "7".

Amendment No. 10

On page 6, line 7, of said bill, strike out "9", and insert "8".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "two", and insert "three".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF HOUSE RESOLUTION NO. 131

By Mr. Belotti:

House Resolution No. 131

Relative to requesting the Adjutant General to investigate and report as to the need for a National Guard Armory at Eureka

WHEREAS, The City of Eureka is the westernmost city in the United States and is the urban center for a large area of the northwestern portion of this State; and

WHEREAS, There is no National Guard Armory in either Eureka or in that area, although a number of National Guard units have been organized therein; and

WHEREAS, The nearest armory is located about 225 miles south of Eureka; and

WHEREAS, It appears that a choice of sites for an armory may be made available at no cost to the State together with a sufficient area of land to allow National Guard units to use their equipment for practical drills; and

WHEREAS, Units of the National Guard now organized in Eureka and the vicinity are handicapped in their training by lack of proper facilities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Adjutant General of the State of California is hereby requested to investigate and determine the need for a National Guard Armory in the City of Eureka and to report his findings and conclusion thereon to the Assembly at the earliest feasible date; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Adjutant General.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 137

By Mr. Rosenthal:

House Resolution No. 137

Relating to the construction of a passageway over Ramona Freeway in the City of Los Angeles

WHEREAS, The construction and improvement of the Ramona Freeway in the City of Los Angeles has resulted in a cul-de-sac at the place where Ramona Freeway intervents Evergreen Avenue; and

WHEREAS, To traverse Ramona Freeway it is now necessary for the residents in the vicinity of Evergreen Avenue to travel several miles eastward or westward from Evergreen Avenue to either Soto Street or City Terrace Drive; and

WHEREAS, The rapid development of the Ramona area means that several thousands of persons are required to make this circuitous trip to use the schools, shopping centers, business district, doctors, dentists, post office, and the community center; and

WHEREAS, It is necessary for the well-being, health, safety, and welfare of the people in the Ramona area that some means of crossing the Ramona Freeway at the point of Evergreen Avenue be constructed immediately; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works take such steps as may be necessary to immediately construct a footbridge over Ramona Freeway at Evergreen Avenue in the City of Los Angeles; and be it further

Resolved, That the Department of Public Works commence construction of a vehicle overpass over Ramona Freeway at Evergreen Avenue at the earliest possible date, in accordance with the agreement between the City of Los Angeles and the Division of Highways, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Highway Commission and to the Director of the Department of Public Works.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1365

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1365, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1365

Assembly Bill No. 1365—An act providing for the constitution of the municipal court in a district embracing the City of San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1366

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1366, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1366

Assembly Bill No. 1366—An act providing for the constitution of the municipal court in a district embracing the City of Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1368

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1368, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1368

Assembly Bill No. 1368—An act providing for the constitution of the municipal court in a district embracing the City of South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 139

By Mr. Silliman:

House Resolution No. 139

Relative to the augmentation of funds of the Assembly Interim Committee on Conservation, Planning, and Public Works

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 212, 1949 Regular Session), the sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims incurred or to be incurred under said resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—52.

NOES—Geddes, Hinckley, Luckel, and McCarthy—4.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 282
Assembly Bill No. 287
Assembly Bill No. 288
Assembly Bill No 1495
Assembly Bill No. 2113
Assembly Bill No. 2513
Assembly Bill No. 3419

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Joint Resolution No. 30—Relative to the Central Arizona Project;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of May, 1951, at 11 a.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 33—Relative to the completion of the San Diego Aqueduct.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 213, and that he be recorded as voting "Aye".

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1467—An act providing for the constitution of the municipal court in a district embracing the City of Ontario, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1468—An act providing for the constitution of the municipal court in a district embracing the City of Redlands, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2217, on motion of Mr. Fleury.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1029

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1029, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1029

Assembly Bill No. 1029—An act to amend Section 3024.5 of the Penal Code, relating to term of imprisonment.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3411

Mr Cooke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3411, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3411

Assembly Bill No. 3411—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Bill read third time.

Motion to Amend

Mr. Cooke moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "or", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1360, on request of Mr. Caldecott.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 409—An act to amend Section 29802 of the Government Code, relating to county warrants.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to repeal Sections 2620 and 2737 of the Political Code, to add Section 30 to the Streets and Highways Code, and to add Section 374d to the Penal Code, relating to streets and highways.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 964

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

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 963

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

STEWART, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 389—An act to add Section 20983.1 to the Government Code, relating to retirement of local members of the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 410—An act to amend Section 51550 of the Government Code, relating to municipal taxes.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 411—An act to amend Sections 51510 and 51511 of the Government Code, relating to municipal taxes.

Bill read third time, and ordered passed on file.

Senate Bill No. 1685—An act to add Sections 25031j and 25071t to the Revenue and Taxation Code, relating to bank and corporation taxes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—72.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1686—An act to add Section 17688 and Section 17758 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson,

Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—72

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1012—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, by adding Sections 22, 22.1, 22.2, and 23 to 23.6, inclusive, to the Civil Code; by adding Chapter 2.5, comprising Sections 39 to 39.6, inclusive, to Title 1, Part 1 of the Code of Civil Procedure; by adding Sections 12b, 41, 58 to 58.8, inclusive, 59 to 59.8, inclusive, 60 to 60.4, inclusive, 61 to 61.8, inclusive, 62, 62.1, 65 1, 65.2, 78, 78.1, 79 to 79.58, inclusive, 98 to 98.7, inclusive, 196 and 196.1, 262 to 262.10, inclusive, 268, 304 to 304.4, inclusive, 537.5, 577.5, and 1885 to 1885.2, inclusive, to the Code of Civil Procedure; by adding Sections 1225 and 1227 to the Government Code; by adding Chapter 7, comprising Sections 6700 to 6706, inclusive, Chapter 8, comprising Sections 6800 to 6807, inclusive, and Chapter 9, comprising Sections 6850 to 6851, inclusive, to Division 7, Title 1 of the Government Code; by adding Article 8, comprising Sections 13240 and 13241, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code; by adding Chapter 2, comprising Sections 15100 to 15105, inclusive, to Part 6, Division 3, Title 2 of the Government Code; by adding Part 9, comprising Sections 15600 to 15645, inclusive, to Division 3, Title 2 of the Government Code; by adding Section 24350.5 to the Government Code; by adding Section 8154.1 to the Education Code; by adding Sections 29, 30, and 31 to the Revenue and Taxation Code; by adding Part 12, comprising Sections 28001 to 28208, inclusive, to Division 2 of the Revenue and Taxation Code; by adding Sections 1039 and 1039 1 to the Penal Code; by adding Section 6210.1 to the Public Resources Code; by adding Sectins 32 to 37, inclusive, to the Municipal Court Act of 1925; and by repealing an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, and sections of the Political Code specified herein.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1013—An act to repeal Chapter 6, comprising Sections 3136 to 3158, inclusive, of Title 7, Part 3 of the Political Code and to add Chapter 4, comprising Sections 2080 to 2082, inclusive, to Title 6,

Part 4, Division 3 of the Civil Code, consolidating and revising the law, relating to lost and unclaimed property.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 704—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 706—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 707—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 708—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 306

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 306, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 306

Senate Bill No. 306—An act to repeal Sections 186.5 and 206 of the Streets and Highways Code, relating to state highways and the State Highway Fund.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Gaffney asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Senate Bill No. 306, and that he be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 500

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 500, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 500

Senate Bill No. 500—An act to amend Section 4753 of the Labor Code, relating to workmen's compensation and insurance, in respect to deductions in the computation of subsequent injuries payments.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 647

Mr Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 647, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 647

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 3, 1951, strike out "28109", and insert "28111".

Amendment No. 2

In line 3 of the title of said bill, strike out "ninth", and insert "eleventh".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2.

Amendment No. 4

On page 2 of said bill, strike out line 4, and insert

"SECTION 1. Section 28111 of the Government Code is amended to read

28111. In a county of the eleventh class the following shall".

Amendment No. 5

On page 2 of said bill, between lines 31 and 32, insert

"For attending as trial juror, in the municipal court for each day's actual attendance, five dollars ($5), and fifteen cents ($0.15) for each mile actually traveled in going only."

Amendment No. 6

On page 2 of said bill, after line 38, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1807

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1807, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1807

Senate Bill No. 1807—An act to amend Section 28126 of the Government Code, relating to public service in counties of the twenty-sixth class.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 204

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 204, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 204

Senate Bill No. 204—An act to amend Section 6813 of the Public Resources Code, relating to agreements with adverse claimants of oil and gas lands.

Bill read third time.

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

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

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 552

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 552, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 552

Senate Bill No. 552—An act to amend Section 771 of the Probate Code, relating to surrender of stock for redemption or conversion by executors and administrators.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Hinckley asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel relative to railroads be ordered printed in the Journal in 10 point type, as follows:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 4, 1951

Honorable Edwin J. Regan
Senate Chamber

RAILROADS—No. 6483

DEAR SENATOR REGAN: Senate Bill No. 616, if enacted, would add Section 485b to the Civil Code, or, in the event the Public Utilities Act is enacted by the Legislature at this session, Section 7659 to the Public Utilities Code. The two sections are identical and read as follows:

> "Notwithstanding any city ordinance to the contrary, no railroad conductor or engineer, who, while operating a train, obstructs a railroad crossing, shall be subject to any criminal penalty, where he has no physical control over the situation causing the obstruction, or where the train cannot be moved without endangering the safety of the passengers or freight."

You have asked our opinion as to the validity of Senate Bill No. 616. With respect to the effect of Senate Bill No. 616, you have asked:

(1) Could a municipality enact an ordinance to subject a railroad corporation to criminal penalties for obstructing a railroad crossing, even though the engineer or conductor operating the train would not be subject to criminal penalties by reason of the provisions of Senate Bill No. 616?

(2) In the event a railroad engineer or conductor is liable because his acts are not excused by Senate Bill No. 616, could a railroad corporation also be made liable?

Opinion

It is our opinion that:

(1) The bill is valid.

(2) The answers to your two questions are in the affirmative.

Analysis

(1) Validity of Senate Bill No. 616

Section 11, Article XI of the State Constitution provides:

> "Sec. 11. Any county, city, town or township may make and enforce within its limits all such local, police, sanitary and other regulations are are not in conflict with general laws."

The power so conferred is as broad as that possessed by the Legislature itself, subject, however, to this exception: its exercise by any city must be confined to the municipality and must not conflict with the general law of the State (*Pasadena School District* vs. *Pasadena* (1913), 166 Cal. 7).

Since Senate Bill No. 616 purports merely to limit the power of cities to enact ordinances imposing criminal penalties upon railroad conductors or engineers for the obstruction of a railroad crossing while operating a train, we need not consider the extent of the power of the municipality to enact such legislation.

The power of the Legislature to enact such legislation limiting the power of the cities depends upon whether this is a matter of statewide concern or a "municipal affair." Where a particular matter is outside the limited group of "municipal affairs," it is clear that local regulations upon the subject may be enforced only if they "are not in conflict with general laws." (*Pipoly* vs. *Benson* (1942), 20 Cal. 2d 366.)

The regulation of traffic upon the streets of a city was held not to be one of those municipal affairs over which the local authorities are given power superior to that of the Legislature in *Ex Parte Daniels* (1920), 183 Cal. 636.

In a recent case, *Northwestern Pacific R. R. Co.* vs. *Superior Court* (1949), 34 Cal. 2d 454, the California Supreme Court, in deciding whether the condemnation of a right of way for a street across a railroad within a city was a matter of statewide concern or a municipal affair, said:

> "In other words, although the city may have control over municipal affairs under its charter and thereby have the right to bring a condemnation action to obtain a crossing of a railroad, it is only entitled to such relief where the crossing may be constructed without disturbing the public use and enjoyment of the utility. If the proposed crossing, whether lateral or longitudinal, would substantially interfere with the use of the facilities of the utility, then

the matter becomes one of statewide concern, rather than a 'municipal affair' * * * ." (p. 458).

The regulation by municipalities of the movement of trains within its limits, in our opinion, would substantially interfere with the use of the facilities of the railroad, and, hence, is a matter of statewide concern, rather than a "municipal affair." Being a matter of statewide concern, it follows that the power of the local authorities to enact such ordinances must yield to the superior power of the Legislature to enact general laws upon the subject.

(2) Liability of a Railroad Corporation Where Senate Bill No. 616 Exempts the Employee From Liability

It is to be noted that Senate Bill No. 616 purports to limit the power of municipalities only with respect to the imposition of criminal penalties upon railroad conductors and engineers in certain instances. It does not purport to limit the power of a municipality with respect to the imposition of criminal penalties upon the railroad corporation. Thus it appears that a municipal ordinance to impose such liability upon the corporation would not be subject to attack on the ground that it conflicted with the general law of the State.

The liability of the corporation can be based upon the general rule that a corporation may be criminally liable for the acts of an officer or agent, assumed to be done by him when exercising authorized powers, and without proof that his act was expressly authorized or approved by the corporation (*New York C. & H. R. R. Co.* vs. *United States* (1909), 212 U.S. 481).

(3) Liability of a Railroad Corporation When Senate Bill No. 616 Does Not Exempt the Employee From Liability

Senate Bill No. 616 purports to exempt a railroad engineer or conductor from criminal liability for the obstruction of a railroad crossing only under certain specified circumstances, namely, "where he has no physical control over the situation causing the obstruction, or where the train cannot be moved without endangering the safety of the pasesngers or freight." It does not purport to exempt such persons from criminal liability for acts not so specified. Hence it appears that a municipal ordinance to impose criminal liability upon such persons for acts not covered by Senate Bill No. 616 would not be subject to attack on the ground that it conflicted with the general law of the State.

The fact that a municipal ordinance makes the railroad engineer or conductor liable for acts not within the scope of Senate Bill No. 616 does not preclude the municipality from also passing ordinances making the corporation liable. The acts of a railroad engineer or conductor, acting within the scope of his employment, can be imputed to the employing corporation, thus subjecting the corporation to criminal penalties also (*New York C. & H. R. R. Co.* vs. *United States*, supra).

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By DELBERT E. WONG, Deputy

Two copies to Honorable James E. Cunningham, pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 616

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 616, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 616

Senate Bill No. 616—An act to add Section 485b to the Civil Code and Section 7659 to the Public Utilities Code, relating to railroad crossings.

Bill read third time.

Demand for Previous Question

Messrs. Gubser, Kirkwood, Lindsay, Silliman, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 616.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—68.

NOES—Beck, Cloyed, Hahn, Lipscomb, and Smith—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1241

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1241, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1241

Senate Bill No. 1241—An act to amend Section 684.5 of the Vehicle Code, relating to tank vehicles.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3017

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3017, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3017

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 416 FROM COMMITTEE

Mr. Condon gave notice that on the second legislative day he would move to withdraw Senate Bill No. 416 from the Committee on Conservation, Planning, and Public Works, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3409

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 3409, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3409

Assembly Bill No. 3409—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from the revenues of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In lines 9 and 10 of the title of the printed bill, strike out "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 1, of said bill, after "Sec 5.", insert "Within 30 days after the act becomes operative the board shall by resolution provide for the holding of a special district election for the purpose of submitting to the voters the question of whether the organization of the district as provided herein shall be ratified and confirmed, and shall fix a date upon which such special district election shall be held. Such special district election shall be called and held within a period of time not to exceed 180 days from the effective date of this act in accordance with the provisions of Section 104, but in addition to the matters and things required to be set forth in the proclamation therein provided for, such proclamation shall likewise set forth the proposition to be submitted to the voters The proposition shall be submitted in substantially the following form: "Shall the organization of Sierra Conservation District as provided in the act adopted by the Legislature at its last regular session, known as Sierra Conservation District Act, be ratified and confirmed?" Opposite shall be the word "Yes" followed by a square wherein to mark the cross, and also opposite shall be the word "No" followed by a square wherein to mark the cross. The returns of the election shall be made to and the votes canvassed by the board on the first Tuesday which is six or more days after the election, and the results of the election shall be ascertained and declared in accordance with the provisions of Section 105 hereof. If such proposition is approved by a majority of the voters voting thereon at such election, the chairman and vice chairman of the board shall file, or cause to be filed, with the Secretary of State, and shall record, or cause to be recorded in the office of the county recorder of each county within which any portion of the district lies, a certificate stating the result of such election, the formation of the district under the provisions thereof, and its boundaries. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting that the district has been duly incorporated. A copy of this certificate shall be transmitted to and filed with the county clerk of each county within which any portion of the district lies.

In the event a majority of the votes cast on the proposition are against the proposition, then the board shall wind up the affairs of the district and enter an order dissolving the same, as hereinafter provided, but shall not exercise any powers herein granted except to the extent required to wind up such affairs and dissolve the district, nor shall any general or special district elections be called or held. Nothing in this section shall preclude the board from holding a single election at which both the proposition of ratification and the proposition of the issuance of bonds shall be submitted to the voters In the event that such an election is held, the provisions of this act relative to the submission of each of the propositions shall govern the submission of that proposition insofar as practicable.

The expenses of the election provided by this section shall be a proper charge against the counties.

SEC. 6."

Amendment No. 3

On page 3, line 6, of said bill, after "pipes", insert "water".

Amendment No. 4

On page 3, line 11, of said bill, insert

"(k) "Property" includes all property, real and personal

(l) "Operate" includes, but is not limited to, use, maintenance, repair and additions to existing and future conservation works."

Amendment No. 5

On page 3 of said bill, between lines 28 and 29, insert

"The board shall take no action unless authorized by ordinance or resolution adopted by a majority of the directors from each of the counties."

Amendment No. 6

On page 3, line 35, of said bill, insert

"SEC. 47 No director shall be liable for any act or omission of any appointee or employee appointed or employed by him in his official capacity, whether such employment or appointment was made singly or in conjunction with other members of the board, and no officer, agent or employee of the district shall be liable for any act or omission of any agent or employee appointed or employed by him except when the director or the officer or agent making such appointment or employment knew or had actual notice that the person appointed or employed was inefficient or incompetent to perform or render the services for which he was appointed or employed, or shall retain such inefficient or incompetent person after knowledge or notice of such inefficiency or incompetency.

SEC. 48. Nothing contained in Section 47 shall be considered as creating any liability or responsibility unless the same would have existed without the enactment of said section, nor shall the provisions of said section or either or any of them be deemed to amend, modify or repeal the provisions of Chapter 6, Division 4, Title 1 of the Government Code.

SEC. 49. If a director, officer, agent, or employee of the district shall be held liable for any act or omission in his official capacity, except in case of actual fraud or actual malice, and any judgment shall be rendered thereon, the district shall pay such judgment without obligation for repayment thereof by such director, officer, agent, or employee.

SEC. 50. No director shall in any manner be interested directly or indirectly in any contract awarded or to be awarded by the board or in the profits to be derived therefrom, and for any violation of this provision such party shall be guilty of a misdemeanor, and upon conviction thereof he shall be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment in a county jail not exceeding six months, or by both such fine and imprisonment, and such conviction shall by operation of law work a forfeiture of his office; provided, that this section shall not be construed to apply to any contract made with a corporation for the general benefit of such corporation where such director is a minority stockholder therein."

Amendment No. 7

On page 5 of said bill, strike out lines 1 to 7, inclusive, and insert

"8. To acquire, store, and distribute water to any entity for any beneficial use, including, but not limited to its use for domestic, irrigation, industrial and municipal purposes and for the generation of electrical energy.

9. To provide for the acquisition, operation, leasing, and control of plants for the generation, transmission and wholesaling of electric energy."

Amendment No. 8

On page 6, line 29, of said bill, strike out "executive secretary", and insert "secretary-manager".

Amendment No. 9

On page 6 of said bill, between lines 36 and 37, insert

"The secretary-manager, subject to the control and approval of the board, shall have full charge and control of the maintenance, operation and construction of the works and property of the district and shall have full power and authority to employ and discharge all employees and assistants, prescribe their duties and fix and alter their compensation. He shall perform such other duties as may be imposed by the board and report to the board in accordance with such rules and regulations as it may adopt. The auditor shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district. He shall draw warrants, which must be countersigned by the chairman or vice chairman, to pay demands made against the district when such demands have been approved or authorized by the board. The board shall also designate a depository or depositories to have custody of the funds of the district, all of which depositories shall give security sufficient to secure the district against possible loss and who shall pay the warrants drawn by the auditor for demands against the district under such rules as the directors may prescribe."

Amendment No. 10

On page 6, line 38, of said bill, after "investigations", insert ", elections, or other acts".

Amendment No. 11

On page 10, line 42, of said bill, after "in", insert "each county of".

Amendment No. 12

On page 10, line 48, of said bill, strike out "published", and insert "posted".

Amendment No. 13

On page 11, line 2, of said bill, strike out "thereat", and insert "in each of the counties".

Amendment No. 14

On page 11, line 10, of said bill, strike out "bonds", and insert "bond".

Amendment No. 15

On page 12, line 47, of said bill, after "voters", insert "in either of the counties".

Amendment No. 16

On page 13, line 11, of said bill, strike out ":", and insert "and,".

Amendment No. 17

On page 13, line 11, of said bill, strike out "(a)".

Amendment No. 18

On page 13, line 12, of said bill, after "cast", insert "in each of the counties"

Amendment No. 19

On page 13, line 15, of said bill, strike out ", or", and insert a period.

Amendment No. 20

On page 13 of said bill, strike out lines 16 to 20, inclusive.

Amendment No. 21

On page 20 of said bill, strike out lines 32 to 48, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Mr. Maloney announced that the South of Market Boys Association will hold a Mother's Day breakfast at the Palace Hotel in San Francisco next Sunday morning, May 13th, and that all Members of the Assembly are invited as his personal guests. (Note: Mr. Maloney is a past president of the above mentioned organization.)

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2665 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2665 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 35

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 35, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 35

Senate Bill No. 35—An act making an appropriation in augmentation of the appropriation in Item 5 of the Budget Act of 1950, for expenses of Members of the Senate, to take effect immediately.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1461

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 1461, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1461

Senate Bill No. 1461—An act to amend Sections 11184 and 11272 of the Education Code, relating to textbooks.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 245

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 245, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 245?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 23, 1951, strike out "for which".

Amendment No. 2

On page 1, line 4, of said bill, as amended, strike out "they were levied".

Amendment No. 3

On page 1, line 6, of said bill, as amended, after "as the", insert "average".

Amendment No. 4

On page 1, line 7, of said bill, as amended, after "total", insert "average".

Amendment No. 5

On page 1, line 7, of said bill, as amended, strike out "applicable for", and insert "applicable"

Amendment No. 6

On page 1 of said bill, as amended, strike out all of lines 8 to 10, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 245 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw,

Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 245 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2347

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2347, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2347—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700, 50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 of and to add Sections 50014, 51332.1, 51332.2 to, and to repeal Section 50733 of, the Water Code, relating to reclamation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2347?

Amendment No. 1

On page 2, line 52, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "he", and insert "the".

Amendment No. 2

On page 3, line 18, of said bill, as amended, strike out "resolving", and insert "revolving".

Amendment No. 3

On page 3, line 33, of said bill, as amended, strike out "designed", and insert "designated".

Amendment No. 4

On page 6, line 30, of said bill, as amended, after "credit", insert "of the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2347 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Assembly Bill No. 2347 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 55—Relative to amending the Joint Rules of the Senate and Assembly by adding Rule 30.5, relating to Conference Committee reports.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1668

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1668, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1668

Senate Bill No. 1668—An act to amend Sections 803.5 and 828.85 of the Agricultural Code, relating to nectarines.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 411

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 411, passed on file, out of order, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 411

Senate Bill No. 411—An act to amend Sections 51510 and 51511 of the Government Code, relating to municipal taxes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Dunn moved that Assembly Bill No. 1985 be made a special order of business for Monday, May 14, 1951, at 11 a.m.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to registration of legislative representatives, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

(COPY)

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, April 23, 1951

Honorable Frank Lanterman
Assembly Chamber

REGISTRATION OF LEGISLATIVE REPRESENTATIVES—No. 6651

DEAR MR. LANTERMAN: You ask whether a general counsel, executive, or employee of a corporation would be required to register as a legislative representative under Section 9906 of the Government Code if on behalf of the corporation, and as a part of his duties as such counsel, executive, or employee, he writes letters to, or telephones, or telegraphs a Member of the Legislature in an attempt to influence the passage or defeat of legislation.

Section 9906 of the Government Code reads in part:

> "9906. (a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation * * * shall, before doing anything in furtherance of such object, register * * *."

"Engage" is defined by Webster's New International Dictionary (Second Edition) as:

> "1. To promise or pledge oneself; to enter into an obligation; to become bound; to warrant * * *.
> **Syn.** See PROMISE."

> "*Syn.* PROMISE, ENGAGE, PLEDGE. PROMISE is the general term; ENGAGE adds the implication of a binding agreement * * *."

Under this definition of the word "engage," it appears to us that if a person is employed as general counsel, executive, or employee of a corporation, and a part of his duties include the writing a letter to, telephoning to, or telegraphing to a Member of the Legislature in an attempt to influence the passage or defeat of legislation, such person would have engaged "himself for pay" within the meaning of Section 9906.

On the other hand, if such person on his own behalf, and not as a part of his duties for which he receives pay or any consideration from the corporation or any other person, were to write, telephone or telegraph a Member of the Legislature in an attempt to influence the passage or

defeat of legislation, he clearly would not be required to register as he has not engaged himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation within the meaning of Section 9906.

Whether a person acting as a general counsel, executive, or employee of a corporation has engaged himself for pay or for any consideration for the purpose of influencing legislation is a question of fact which will need be determined as to each particular person, considering the terms of his employment and the duties which are assigned to such person within the scope of his employment.

When it is concluded that such person has so engaged himself, the statute then requires such person to register "before doing *anything* in furtherance of such object." We see no reason why the phrase "before doing anything" would be given a restrictive interpretation. As we interpret "anything" it would include the making of phone calls, writing letters, or sending telegrams for the purpose of attempting to influence the passage or defeat of legislation.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LOUIS A. BOLI III, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT A THIRD REPORT OF THE ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a Third Report of the Assembly Committee on Legislative Representation be ordered printed in the Journal, in 10 point type, as follows:

THIRD REPORT OF THE ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

Letter of Transmittal

Assembly Committee on Legislative Representation, May 3, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statements and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report, a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

The names of persons who have filed as legislative advocates but do not appear on the list have been withheld by your committee because of technical defects in the application for further information or for further consideration by your committee.

All registrants whose names have been withheld will be notified and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

WILLIAM H. ROSENTHAL
H. ALLEN SMITH
FRANK P. BELOTTI
BERNARD R. BRADY
RICHARD J. DOLWIG, Chairman

Third Report of Assembly Committee on Legislative Representation

APPLICATIONS APPROVED AS OF MAY 3, 1951
LIST NO. 4

Name	Address	Represents
Vincent Kennedy, Hotel Senator, Sacramento		
		California Retailers Association, Subway Terminal Building, Los Angeles
William C. Anderson, 660 17th St., Merced		
		Western Dairymen's Association, 660 17th St., Merced
Charles L. Belden, 2728 Upas St., San Diego 4		
		Corporation Counseling Service, 5140 Crenshaw Blvd., Los Angeles 43 (R. G. Fjellstrom, Pres.)
John M. Welsh, 419 Capitol National Bank Bldg., Sacramento, California		
		California Allied Printing Trades Conference, San Francisco
		California Conference of Typographical Unions, San Francisco
		Southern California Typographical Conference, Los Angeles
		Southern California Allied Printing Trades Conference, Los Angeles
		Sacramento Pressmen and Assistants, Union No. 60, Sacramento
		Sacramento Bookbinders Local 35, Sacramento
		International Typographical Union 46, Sacramento
Roy J. Nielsen, 309 Bank of America Building, Sacramento		
		California Council of Business Schools, 406 Sutter St., San Francisco
Milo V. Olson, 737 Pacific Mutual Building, Los Angeles		
		Serve Yourself Gasoline Stations Association, Inc., 3238 Wilshire Blvd., Los Angeles
Hugh F. Richards, Route 7, Box 1396, Modesto		
		The California Jersey National Cattle Club, President V. J. Lancaster, Route 4, Box 40, Turlock
Ray Stone, Route 1, Box 783, Fair Oaks		
		California State Horsemen's Association, Rt. 1, Box 783, Fair Oaks
Lydia Wood (Mrs. E. H.), 8589 Burton Way, Los Angeles 48		
		Women's Christian Temperance Union of Southern California, 551 S. Kingsley Drive, Los Angeles 5
		Southern California Council of Church Women, 944 S. Hudson Ave., Los Angeles 6
Herbert M. Baus, 2796 W. Eighth St., Los Angeles 5		
		Los Angeles Junior Chamber of Commerce, 1151 S. Broadway, Los Angeles 15

Cal. F. Brumbaugh, 1213 I St, Sacramento
California Association of Highway Patrolmen, Sacramento, California Association, 1213 I St., Sacramento

James M. Conners, 444 Market St., San Francisco
Board of Trade of San Francisco, 444 Market St., San Francisco

Clarence A. DeWitt, 10912 Lemoli Ave., Inglewood 2
Ocean Fish Protective Association, P. O. Box 15851, Crenshaw Station, Los Angeles

Lynette M. Messer, 124 Buchanan, San Francisco
Association for Nursery Education of Northern California; President, Mrs. Marion J. Post, 2356 Corona Court, Berkeley 8

Nellie Miller, 268 Market St., San Francisco
Women's Christian Temperance Union (same address)

James B. McNally, 705 Bay Front, Balboa
Ocean Fish Protective Association, P. O. Box 15851, Crenshaw Station, Los Angeles

Anita M. Truman, 2503 Turk St., San Francisco
Retired Teachers Association of San Francisco, 465 Post St., Suite 211, San Francisco

John B. Long, c/o Clarence H. Hoiles, President, Santa Ana Register, Santa Ana
California Newspaper Publishers Association, Santa Ana

Robert W. Jones, 1405 E. 22d St., Merced
Order of Repeatermen and Toll Testboardmen, 2270 Bullard Ave., Los Angeles

Otto E. Never, 474 Valencia St., San Francisco 3
State Building and Construction Trades of California, 474 Valencia St., Room 2, San Francisco 3

Leslie Monahan, 2270 Bullard Ave., Los Angeles 32
Order of Repeatermen and Toll Testboardmen, 2270 Bullard Ave., Los Angeles

Glenn M. Farley, 162 E. Base Line, San Bernardino
California State Association of Journeymen Barbers and Beauticians, 3096 H St., San Bernardino

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Subcommittee on Education. Subject: Assembly Bill No. 869, in Room 4017.

At 3 p.m.—

Municipal and County Government, in Room 3186.
Transportation and Commerce, in Room 432.
Ways and Means, in Room 435.

At 8 p.m.—

Industrial Relations, in Room 432.
Revenue and Taxation, in Room 3186.

Tomorrow, Friday, May 11th, at 9 a.m.—

Rules, in Room 3186.

It was announced that the following committee would hold no meeting today:

Civil Service and State Personnel.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Grafton Burke of Los Angeles, and Mrs. Bruce Reagan and Mrs. Swartz of Altadena.

On request of Messrs. Caldecott and Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Professor May, Political Science Professor of Japan, and the following delegation: Masamichi Royama, Hiroshi Kaneko, Tadashi Yoshimura, Kiyoaki Tsuji, Masatoshi Nagahama, Tatsuo Takenaka, and Tadao Adachi.

On request of Messrs. Caldecott and Rumford, the usual courtesies of the Assembly for this day were unanimously extended to the following German officials from Kerfeld, Germany: Dr. Alex Kehrmann, Dr. Otto Erich Wedekind, Dr. Bernhard Franz Roessler, Miss Margarete Porten, Theodor Plueckebaum, Adolph Friedrich Markard, and Mrs. Marianne Gatzke.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Rear Admiral Frank E. Beatty, U.S.N.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to John G. Terry, Ernest Neitzke, and William W. Wyman, masters, and the following pupils of the Tamalpais School for Boys, San Rafael: Robert Borden, John Bradley, Alex Browne, Alex Bryant, Clinton Childs, Ross Christiansen, Richard Duff, Tony Falconi, Kenneth Gabriel, Ted Graupner, Joe Hickingbotham, Gary Mulkey, Gary Scales, Stephen Tonarelli, Robert Westphall, and Raynor Whiting.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Floyd Swagerty and Thomas Olaeta, teachers, and the following pupils of the Dent School: David Abernathy, Roger Albin, Donald Anderson, Marlys Blomquist, Ronald Bonzi, LaVerne Bunch, Joann Davis, Marvin Dole, Delwin Eliason, Larry Boeken, Karen Heurlin, Harold Hodges, Eileen Johnson, Fred Johnson, Darlene Kalbach, David League, Glenda Light, Dolly Lindman, John Nunes, Bobby Loureiro, Merlin Murkin, Billy Nelson, Don Oliver, Betty Jean Oswald, Nancy Parsons, Paul Reichmuth, Jackie Rose, Elaine Runsten, Sharon Schramm, Dyan Shugart, Mona Simmons, Bonnie Skiles, Mary Jo Smith, Dale Steelman, Raymond Welch, Tommy Williams, LaVonne Wolf, Lynne Wood, and Ellen Wood.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to James R. Tormey and Dr. Byron Clyde Curry of San Mateo County.

ADJOURNMENT

At 12.34 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 11, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

SEVENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 11, 1951

The Assembly met at 9 30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

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

Our Loving Heavenly Father, We thank Thee for placing the crown of jewels upon the name of mother, making it the sweetest name of all earth's treasures. Today we pause in reverence and sacred tribute, bringing to Thy throne of grace in prayer our mothers. Our debt could never be paid to the one who soothed our childish sorrows, and guided our hearts to the first altar of devotion By her faith the home remains strong and the heart of our Republic secure. May the example of Jesus, who gave always tender concern for His dear mother, rise up within our hearts, that we, too, may call her "blessed".

"So 'mid earth's rush, and clash, and strife,
It's daily drive and stress,
Keep those who guard the founts of life,
Dear God, each mother bless."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mrs. Niehouse, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lanterman, on motion of Mr. McGee.

Mr. Lindsay, on motion of Mr. Gubser.

Mr. Lipscomb, on motion of Mr. Smith.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REQUEST FOR UNANIMOUS CONSENT THAT NAME OF MEMBER ATTENDING MEETING OF SUBCOMMITTEE ON WAYS AND MEANS BE PLACED UPON MORNING ROLL CALL

Mr. Clarke asked for, and was granted, unanimous consent that the name of a member attending the meeting of the subcommittee on Ways and Means, at this time, be placed upon the morning roll call as follows:

Mr. Sherwin.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF COMMITTEE ON ELECTIONS AND REAPPORTIONMENT BE PLACED UPON MORNING ROLL CALL

Mr. Clarke asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Committee on Elections and Reapportionment, at this time, be placed upon the morning roll call as follows:

Messrs. Waters and Conrad.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

SACRAMENTO, CALIFORNIA, May 10, 1951

Honorable Sam L. Collins
Speaker of the Assembly

MR. SPEAKER: We cordially extend an invitation to the Members of the Assembly to attend the Kern Crossroads Celebration, Sunday, May 13, 1951, in Delano, commemorating the arrival of Friant Kern Canal water at its terminus in Kern County.

The occasion of this celebration is the culmination of the dream of many thousands of Californians for the delivery of water for the lands of the South San Joaquin Valley.

It was initially with the help of the California Legislature that the Central Valley Project was given a childhood, and at this date the efforts of the Legislature have resulted in a manful deployment of California surplus waters to areas less supplied with the lifeblood of an agricultural community.

The celebration from 9 30 a.m until 4 p.m will provide entertainment and a source of pride to all attending The County of Kern extends an individual invitation to each Member of the Assembly and its attaches to attend with their families and friends

Very truly yours,

H. W. KELLY
Member of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 284
Assembly Bill No. 289
Assembly Bill No 461
Assembly Bill No. 584
Assembly Bill No. 1041
Assembly Bill No. 1118

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 212
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 475
Assembly Bill No 1032
Assembly Bill No. 1053
Assembly Bill No. 1109
Assembly Bill No. 1147
Assembly Bill No. 2502
Assembly Bill No 3070

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1998
Assembly Bill No 3406

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

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred.

Senate Bill No. 441
Senate Bill No. 454
Senate Bill No. 640

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

LUCKEL, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 2870

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

LUCKEL, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 108
Senate Bill No 279
Senate Bill No. 1744

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

LUCKEL, Chairman

Above reported bills ordered to second reading

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2487

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

STEWART, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Concurrent Resolution No. 58

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

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 665
Assembly Bill No. 803
Assembly Bill No. 855
Assembly Bill No. 856
Assembly Bill No. 907
Assembly Bill No. 945
Assembly Bill No. 1007
Assembly Bill No. 1008
Assembly Bill No. 1855
Assembly Bill No. 3068

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 10, 1951

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

Assembly Bill No. 449
Assembly Bill No. 567
Assembly Bill No. 664
Assembly Bill No. 910
Assembly Bill No. 1091
Assembly Bill No. 3279

And respectfully requests your honorable body to concur in said amendments

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 10, 1951

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

Senate Joint Resolution No. 32

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 32—Relative to the supply of sulphuric acid for fertilizers.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 10, 1951

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

Senate Bill No 293
Senate Bill No. 297
Senate Bill No. 298
Senate Bill No. 294
Senate Bill No 820
Senate Bill No 949
Senate Bill No. 1092
Senate Bill No. 1745

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 293—An act to add Section 1384.6 to the Fish and Game Code, relating to the importation of carcasses or parts thereof of domesticated game birds.

Referred to Committee on Fish and Game.

Senate Bill No. 297—An act to amend Section 1281 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Referred to Committee on Fish and Game.

Senate Bill No. 294—An act to repeal Section 1290 of, and to add new Section 1290 to, the Fish and Game Code, relating to deer hides.

Referred to Committee on Fish and Game.

Senate Bill No. 820—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health.

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Referred to Committee on Social Welfare.

On May 16, 1951, the Senate requested the return of Senate Bill No. 949, so the bill was withdrawn from committee and returned to the Senate on the same day.) (Page 4326.)

Senate Bill No. 1092—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children and failure to report the return of an absent parent.

Referred to Committee on Social Welfare.

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

Referred to Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read second time, and ordered engrossed.

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

Bill read second time, and ordered engrossed.

Assembly Bill No. 3391—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3199—An act to amend Section 14722 of the Education Code, relating to district retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "Section", and insert "Sections".

Amendment No. 2

In line 2 of the title of the printed bill, after "14722", insert "and 14720 1".

Amendment No. 3

In line 2 of the title of the printed bill, strike out the comma, and insert "and to add Section 14720 2 to said code, all".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, after line 15, insert

"SEC. 2 Section 14720 1 of said code is amended to read:

14720 1 Every cafeteria employee of a school district which has adopted, or adopts, a plan for district retirement who is a member or becomes a member of said plan, shall be entitled to the benefits and be bound by the burdens of this article and shall receive full credit for his service as a school cafeteria employee rendered before he became a member of the plan to the pupils of any of the districts under the same governing board which governs the district of which he is now an employee, whether such service was paid for by the school districts or otherwise. For purposes of computing benefits for service credited as provided in this section, the average monthly salary earned by a cafeteria employee during the year 1944-45 shall be used. [At the time of retirement of any school district employee entitled to credit for service under this section, the school district shall pay into the district retirement fund such sum as may be necessary to provide both annuity and pension benefits in respect to such credited service.]

SEC. 3. Section 14720.2 is added to the Education Code to read:

14720.2. Every employee of a student body of a school in a school district which has adopted a plan for district retirement, who is or becomes a member of said plan by virtue of employment by the school district, and who is employed full time jointly by the student body and the school district, shall be entitled to the benefits and be bound by the burdens of this article and shall contribute to said district retirement plan on the basis of the total combined salary received jointly from the student body and the school district and shall receive retirement benefits from the district retirement plan on the basis of the total of such combined salary and shall receive full credit for his service as a school student body employee and a school district employee, rendered before he became a member of the plan to the pupils of any of the districts under the same governing board which governs the district of which he is now an employee, whether such service was paid for by the school district or otherwise. For purposes of computing benefits for service rendered prior to becoming a member of said district retirement plan, the average combined monthly salary earned as a student body employee and a school district employee during the year 1946-47 shall be used."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1152—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in the Assembly on April 27, 1951, after "act", insert "; provided, that before acquiring authority to proceed with the establishment of any zone the exterior boundaries of which will include any land lying within the exterior boundaries of any chartered or incorporated city within the district, the board of supervisors shall first obtain the concurrence of such city to conduct such proceedings, such concurrence to be evidenced by a resolution or ordinance adopted by a majority of the members of the city council of such city, or by a vote of a majority of the qualified electors residing in such city or portion thereof to be included in said zone voting at any regular or special election on said proposition; said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge".

Amendment No. 2

On page 17 of said bill, strike out lines 39 and 40, and insert "provisions of the District Investigation Law of 1933"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I thereof, relating to grand juries.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2 of the printed measure, strike out lines 24 to 32, inclusive, and insert "and summoned in each county for the year following the adoption of this amendment and for each year thereafter which shall consist of not less than three nor more than nine members of the immediately preceding grand jury who shall serve for that year only and such additional members as are required to provide the total membership. No grand juror shall serve for more than two consecutive years, nor serve as foreman of a grand jury for more than one year. The provisions of this paragraph are self-executing but legislation not in conflict herewith may be enacted to facilitate its operation."

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures presented to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2 of the printed measure, strike out lines 26 to 29, inclusive, and insert "time it is received by the Legislature. If".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 410—An act to amend Section 1630.1 of the Labor Code, relating to employment agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "and the conditions of employment in existence there", and insert "and whether union membership is required."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 984—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 27, 1951, strike out "as used in this part".

Amendment No. 2

On page 1, line 24, of said bill, strike out "two or more owners or users of", and insert "the owners or users of two or more".

Amendment No. 3

On page 1, line 25, of said bill, strike out "or tent", and insert "or to two or more tent".

Amendment No. 4

On page 2, line 1, of said bill, strike out "two or more", and insert "the".

Amendment No. 5

On page 2 of said bill, strike out line 2, and insert "of two or more trailer coaches or tents for the purpose of securing their trade."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 985—An act to amend Sections 18100.5, 18104.5, 18105, 18107.1, 18108, 18109, 18200, 18201, 18202, 18203, 18302, 18303, 18304, 18306, 18308, 18432, 18435, 18450, 18455 5, 18460, 18462, 18466 8, 18467, 18470, and 18470.5 of the Health and Safety Code; to amend and renumber Section 18100 thereof; to amend the title of Part 2, Division 13 thereof, and the title of Chapter 4, Part 2, Division 13 thereof; to add Sections 18100, 18104.7, 18105.1, 18105.2, 18106.6, 18107 2, 18110, 18110.5, 18200.2, 18200.3, 18200.4, 18200.6, 18200.8, 18300 5, 18301.5, 18307, 18450.5, 18453, 18460.1, 18466.9, 18470 1, and 18470.2 thereto, Articles 4 and 5 to Chapter 4, Part 2, Division 13 thereof, and Chapter 5 to Part 2, Division 13 thereof; to repeal Sections 18101, 18102, 18102.5, 18103, 18300, and 18301, and Chapters 5, 5.5, 6, and 7 of Part 2, Division 13 therefrom, relating to auto courts, motels, and resorts, and auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 11, line 44, of the printed bill, as amended in the Assembly on April 23, 1951, strike out ", hereafter in-"; and strike out line 45, and insert "and top burner sections of gas ranges hereafter installed shall be provided with an automatic pilot device."

Amendment No. 2

On page 11, line 48, of said bill, strike out "garage or".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 741—An act to repeal Section 13043 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 13043 of", and insert "add Section 7190 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "Public School System", and insert "apportionment of the State School Fund".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 7190 is added to the Education Code to read:

7190 If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund more or less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction during the next or any succeeding fiscal year shall withhold from, or add to, the apportionment made during such next or succeeding fiscal year, the amount of such excess or deficiency, as the case may be.

When any judgment has been rendered which requires the apportionment from the State School Fund to any school district, to any other agency, or to any fund for any fiscal year of more than the amount actually apportioned thereto during such fiscal year, the difference shall be apportioned to the district, agency, or fund by the Superintendent of Public Instruction from the State School Fund during the fiscal year following that in which the judgment becomes final before any other apportionment from the State School Fund is made Upon the becoming final of any judgment which requires the apportionment from the State School Fund to any school district, to any other agency, or to any fund for any fiscal year of less than the amount actually apportioned thereto during any fiscal year, the difference shall be deducted from the apportionment made to such district, agency, or fund by the Superintendent of Public Instruction from the State School Fund during the fiscal year following that in which the judgment becomes final."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1561—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5050.3 to", and insert "amend Section 5049 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5049 of the Education Code is amended to read:

5049. No apportionment shall be made for new construction which when added to the area of adequate school construction existing in the applicant school district at the time of application, will provide a total area of school building construction per pupil of the estimated enrollment in excess of that computed under the following schedule:

Type of school	Enrollment	Sq. Ft. per pupil
Elementary school comprising kindergarten and Grades 1 to 6, inclusive	300 or more	55
Elementary school comprising Grades 7 and 8	750 or more	75
Junior high school comprising Grades 7 to 9, inclusive	750 or more	75

Type of school	Enrollment	Sq. Ft. per pupil
Junior high school comprising Grades 7 to 10, inclusive	750 or more	75
High school comprising Grades 7 to 12, inclusive	750 or more	80
High school comprising Grades 9 to 12, inclusive	750 or more	80
High school comprising Grades 10 to 12, inclusive	750 or more	80
Junior college comprising Grades 13 and 14	750 or more	80
Junior college comprising Grades 11 to 14, inclusive	750 or more	80

The maximum total building areas per pupil allowed to applicants having schools with smaller estimated enrollments than shown in the above schedule shall be determined by the Department of Education, and shall be building areas to provide comparable facilities to those enumerated above, and shall be the least building area required to house adequately the estimated enrollment and the normal instructional and other services.

[No estimate of enrollment made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education.]

For the purpose of justifying an apportionment, any applicant school district shall be entitled to make an estimate of enrollment for a period ending October 31, 1952. Any school district which has submitted its application prior to the effective date of the amendment to this section enacted at the 1951 Regular Session may amend its application for the purpose of estimating enrollment for such period. Any such estimate shall not be given effect unless approved by the Department of Education."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1577—An act to repeal Section 13582 and to amend Section 13583 of the California Education Code, relating to probationary employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 13582 and to amend Section 13583", and insert "amend Section 13083".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "probationary employees.", and insert "the discretion of governing boards in certain districts to classify employees as permanent."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 13083 of the Education Code is amended to read as follows:

13083. At the discretion of the governing board of a district with 60,000 average daily attendance or more every employee of the district who, after having been employed by the district for two consecutive school years in a position or positions requiring certification qualifications, is reelected for the next succeeding school year to a position requiring certification qualifications may, at the commencement of the succeeding school year, be classified as and become a permanent employee of the district. *If such board is the governing board of more than one district it may exercise the discretionary power given it by this section in each district under its jurisdiction, whether or not each of such districts has 60,000 average daily attendance.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2929—An act to amend Section 3691 of the Education Code, relating to the exclusion of school districts from high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3691 of the Education Code, relating"; and strike out lines 2 and 3, and insert "Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 4911.1 of the Education Code is amended to read:

4911.1. In the event the county committee transmits plans and recommendations to the State Board of Education, pursuant to Section 4902, for the reorganization of the school districts in the county other than the formation of a unified school district [or the expansion of an existing unified school district], the proposed reorganization, if approved by the State Board of Education, shall be deemed to be the filing of a petition with the State Board of Education, the appropriate board of supervisors, or with the county superintendent of schools, as the case may be. The State Board of Education shall notify the board of supervisors and the county superintendent of schools having jurisdiction over the school districts affected thereby of its action, and the proposed reorganization of the school districts shall then be held and conducted in accordance with the applicable provisions of this code as though such petition had been originally filed with such board of supervisors or with the county superintendent of schools, except that no action required by any other provision of this code shall be necessary to give the board of supervisors or county superintendent of schools jurisdiction in the matter.

SEC. 2. Section 4912 of said code is amended to read:

4912. [The] *Except as otherwise provided in Section 4912.2 the* county superintendent of schools of the county in which the greater part of such area is located shall cause to be held a special election in the elementary school district or unified school district, or [those portions of the] districts affected [,] for the purpose of adopting or rejecting the plans and recommendations of the county committee or committees. The county committee or committees shall hold, following the approval by the State Board of Education of the recommendations of the county committee, one (1) or more public hearings at least ten (10) days prior to such election within the area affected by a proposal for unification. The county committee or committees may designate any member to hold and conduct any public hearing required to be held. Such election shall be held between July 1st and December 31st of the year in which the county superintendent of schools was given notice by the State Board of Education under Section 4911 except that if such notice is not received on or before November 1st, the election shall be held between July 1st and December 31st of the following year.

SEC. 3. Section 4912.2 of said code is amended to read:

4912.2. In the event the plans and recommendations of a county committee for an area provide for the exclusion of territory from a school district, the county committee [shall] *may* determine [whether] *that as to said district* the election shall be held only in said territory. [The] *In the event the county committee makes such determination, the plans and recommendations formulated by the county committee shall include recommendations with respect thereto and upon approval thereof by the State Board of Education the* county superintendent of schools shall as to said district call the election [as determined by the county committee] *only in said territory*.

SEC. 4. Section 4663 of said code is amended to read:

4663. [Upon approval of the county committee on school district organization, after following the procedure prescribed by Chapter 16 of this division, one] *One* or more contiguous elementary or high school districts, [or portions thereof,] one of which is contiguous to a unified school district, may be annexed to the unified school district not later than the first day of February in any school year by the board of supervisors of the county having jurisdiction over the unified school district whenever a majority

of the qualified electors in each of the elementary or high school districts voting at an election held for that purpose vote in favor of the annexation and the governing board of the unified school district has filed its approval of the annexation, in writing, with the board of supervisors. [The annexation of such elementary or high school district or districts, or portions thereof, to a unified school district may be effected without such elementary or high school districts or portions thereof first withdrawing from an elementary or high school district of which it is a part.] The election shall be called by the county superintendent of schools having jurisdiction over the unified school district *whenever a majority of the electors residing in each of the elementary or high school districts petition the county superintendent of schools to call the election .*

No petition shall be accepted by the county superintendent of schools after December 15th in any fiscal year.

SEC. 5. Section 4663.1 is added to said code to read:

4663.1. When an election is called for the annexation of one or more contiguous elementary or high school districts, one of which is contiguous to a unified school district, after the approval by the State Board of Education of plans and recommendations of a county committee for the reorganization of school districts, the election shall be held and conducted in accordance with the provisions of this article and the annexation of such elementary or high school districts to a unified school district may be effected without such elementary or high school districts first withdrawing from any school district.

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Under the existing law, there is no method by which an elementary school district which is a part of a city high school district may be annexed to a contiguous unified school district, nor is there any procedure prescribed whereby an elementary or high school district which is a part of another district may be annexed to a contiguous unified school district without first withdrawing from the district of which it is a part. This act would eliminate delay in annexations to a unified school district by allowing annexations in all such cases without the initiation of withdrawal proceedings.

It is therefore necessary that this act take effect immediately in order for unified school districts to make plans for necessary new sites and buildings, based on the new boundaries, rather than the present boundaries, of the district, so that the schools built in the unified district through the state school building aid program will be situated so as to serve the needs of the reorganized district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 784—An act making an appropriation to the Department of Public Works to be expended in the prevention of further salt water intrusion into the water bearing aquifers of West Coast Basin, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "in the prevention of further salt", and insert "for investigational work and study with the objective of formulating plans and design criteria for correction or prevention of damage to underground waters of the State by sea".

Amendment No. 2

In lines 3, 4, and 5, of the title of said bill, strike out "into the water bearing aquifers of West Coast Basin, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert "ury not otherwise appropriated, the sum of seven hundred fifty thousand dollars ($750,000), to be available for expenditure by the Department of Public Works, acting through the State Engineer, for investigational work and study with objective of formulating plans and design criteria for correction or prevention of damage to underground waters of the State by sea water intrusion in the West Coast Basin of Los Angeles County and other critical coastal areas. The cost of such investigation and study shall include the cost

of providing water injection wells, observation wells, water spreading grounds, pipe lines, equipment, rights of way, and other facilities necessary to introduce water into the water bearing aquifers. The department is authorized to cooperate and contract with the Los Angeles County Flood Control District, the West Basin Municipal Water District, and any other public or private corporation or agency for the purpose of this act."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 26, inclusive; and on page 2, strike out lines 1 to 50, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1234—An act to amend Sections 8525, 8568, 8635, 8641, 8642, 8644, and 8651 of the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "8568," insert "8624,".

Amendment No. 2

In line 2 of the title of the printed bill, after "of", insert ", and to add Sections 8653 and 8654 to,".

Amendment No. 3

On page 1 of the printed bill, strike out lines 11 to 26, inclusive.

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 19, inclusive.

Amendment No. 5

On page 2 of the printed bill, strike out lines 31 to 48, inclusive, and insert

"(a) Knowingly committed or aided and abetted the commission of any illegal act which, if committed by a licensee, would be ground for suspension or revocation of a license under this chapter.

(b) While unlicensed, knowingly committed or aided and abetted the commission of any act for which a license is required under this chapter.

(c) While acting as a partner, officer, or managing employee of a firm, partnership, or corporation, had guilty knowledge of and participated in the commission of any act resulting in the suspension or revocation of a license.

(d) Been convicted of a felony or a crime involving moral turpitude."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of the printed bill, after line 52, insert

"SEC. 3 Section 8624 of said code is amended to read:

8624. The suspension or revocation of an operator's license has the same effect on each branch office registration issued under the name of the operator.

[No violation of any of the provisions of this chapter on the part of any licensee shall cause the revocation or suspension of the license of the employer of such licensee whether such employer be an operator, copartnership or corporation, unless it shall appear upon a hearing had in accordance with the provisions of this chapter, that said employer, operator, copartnership, or corporation had guilty knowledge of such violation.]

The performance by any partnership, corporation, firm or association of any act or omission which is a ground for disciplinary action likewise is a ground for disciplinary action against any licensee who is a member, officer, director, associate or responsible managing employee of such partnership, corporation, firm or association, and who had guilty knowledge of and participated in such prohibited act or omission."

Amendment No. 7

On page 3, line 1, of the printed bill, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 8

On page 3, line 5, of the printed bill, strike out the remainder of the line after the comma; and strike out all of lines 6 and 7, and line 8 to and including "specifications".

Amendment No. 9

On page 3, line 9, of the printed bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 10

On page 3, line 13, of the printed bill, after "premises", insert "for wood destroying pests or organisms,".

Amendment No. 11

On page 3, line 15, of the printed bill, strike out "SEC. 5", and insert "SEC. 6".

Amendment No. 12

On page 3, line 16, of the printed bill, strike out "doing", and insert "commission".

Amendment No. 13

On page 3, line 16, of the printed bill, after "any", insert "grossly".

Amendment No. 14

On page 3, line 20, of the printed bill, strike out "SEC. 6", and insert "SEC. 7".

Amendment No. 15

On page 3, line 21, of the printed bill, after "or", insert "willful".

Amendment No. 16

On page 3, line 23, of the printed bill, after "infection", insert "of wood destroying pests or organisms".

Amendment No. 17

On page 3, line 25, of the printed bill, strike out "SEC. 7", and insert "SEC. 8".

Amendment No. 18

On page 3, line 28, of the printed bill, strike out "other".

Amendment No. 19

On page 3, line 28, of the printed bill, after "control", insert "other".

Amendment No. 20

On page 3 of the printed bill, after line 30, insert

"SEC. 9. Section 8653 is added to said code to read.

8653. The willful or deliberate failure of any licensee or agent or officer thereof, to pay any monies due for any materials or services rendered in connection with his operations as a pest control operator, when he has the ability to pay or when he has received sufficient funds therefor as payment for the particular pest control work, project, or operation for which the services or materials were rendered or purchased, is a ground for disciplinary action, as is the false denial of any such indebtedness or of the validity of the claim thereof with intent to secure for himself, his employer, or other person any discount upon such indebtedness or with intent to hinder, delay, or defraud the person to whom such indebtedness is due.

SEC. 10. Section 8654 is added to said code to read.

8654. Any person who has been denied a license for any of the reasons specified in Section 8568, or who has had his license revoked, or whose license is under suspension, or who has failed to renew his license while it was under suspension, or who has been a member, officer, director, associate or responsible managing employee of any partnership, corporation, firm, or association whose application for a license has been denied for any of the reasons specified in Section 8568, or whose license has been revoked as a result of disciplinary action, or whose license is under suspension, or who has failed to renew a license while it was under suspension, and while acting as such member, officer, director, associate or responsible managing employee had knowledge of or participated in any of the prohibited acts for which the license was denied, suspended or revoked, shall be prohibited from serving as an officer, director, associate, partner or responsible managing employee of a licensee, and the employment, election or association of such person by a licensee is a ground for disciplinary action."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1235—An act to amend Section 8624 of the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8624", and insert "Sections 8514 and 8522".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 8514 of the Business and Professions Code is amended to read:

8514. Notwithstanding any provision of this chapter, after an inspection has been made a licensee who holds a group license for the control of household pests, or wood destroying pests or organisms, but whose group license restricts the method of eradication or control permitted, may recommend and enter into a contract for the eradication or control of pests within the scope of his group license, provided he subcontracts in writing the actual performance of the work to a licensee who holds a group license authorizing the particular method to be used

A licensee may in writing subcontract any pest control work for which he is licensed in any group or groups to a licensee holding a valid group license to do such work

Nothing herein contained shall permit or authorize any licensee to perform, attempt to perform, advertise or hold out to the public or to any person that he is authorized, qualified or licensed to perform, pest control work in any branch or group, or by any method, for which he is not licensed.

Subcontracting or work, as permitted herein, shall not relieve the prime contractor or the subcontractor from responsibility for, or from disciplinary action because of, any act or omission on his part, which would otherwise be a ground for disciplinary action.

SEC. 2. Section 8522 of said code is amended to read:

8522. Members of the board shall be appointed by the Governor for a term of four years, subject to removal by him at his pleasure

The terms of the members of the board in office when this chapter takes effect shall expire as follows:

Two members, January 15, 1942; one member, January 15, 1943; one member, January 15, 1944; and one member, January 15, 1945

The terms shall expire in the same relative order as to each member as the terms for which he holds office before this chapter takes effect

Vacancies shall be filled by the Governor for the unexpired term

No member shall be appointed to more than two consecutive terms"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1311—An act to add Part 7 to Division 5 of the Labor Code, relating to safety in forest products industries.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "Board", and insert "Section".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "board", and insert "section".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "and statutes".

Amendment No. 4

On page 1, line 15, of the printed bill, strike out ", compile", and insert a period.

Amendment No. 5

On page 1 of the printed bill, strike out line 16; and in line 17, strike out "equipment, processes or practices as affect this industry," and insert "It shall".

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "personnel", and insert "safety engineers and inspectors".

Amendment No. 7

On page 1, line 24, of the printed bill, after "tion", insert "pursuant to the State Civil Service Act".

Amendment No. 8

On page 1 of the printed bill, strike out lines 26 and 27.

Amendment No. 9

On page 2 of the printed bill, strike out lines 1 to 6, inclusive.

Amendment No. 10

On page 2 of the printed bill, strike out line 16, and insert "tories, wooden venetian blind factories, wooden battery separa-".

Amendment No. 11

On page 2, lines 18 and 19, of the printed bill, strike out "and any other; or other manufacturing or distributing or processing procedure".

Amendment No. 12

On page 2 of the printed bill, strike out lines 22 to 33, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1526—An act to add Section 8652 to the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 8561, 8569, and 8570 of, and to add Sections 8516, 8517, and 8652 to, the Business and Professions".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 8561 of the Business and Professions Code is amended to read:

8561. Any person may apply for an operator's license:

(a) If the applicant is an individual, he shall possess the qualifications and be examined as hereinafter prescribed. If such individual qualifies for an operator's license, as herein prescribed, the board shall issue to him an operator's license.

(b) If the applicant is a partnership, it shall designate a partner to be licensed and such partner shall possess the qualifications and be examined as hereinafter prescribed. If such partner qualifies for an operator's license as herein prescribed, the board shall issue an operator's license to the partnership, naming therein the partner licensed with the partnership. Such partner may engage in pest control on behalf of the partnership only, so long as he remains a partner thereof, *but he may become associated with another partnership, or with a firm or corporation, in a capacity other than as a qualifying partner, operator, or officer*.

(c) If the applicant is an association or corporation, it shall designate an officer thereof or a responsible natural person employed or to be employed by it to be licensed. Such officer or responsible natural person shall possess the qualifications and be examined as hereinafter prescribed. If such officer or responsible natural person qualifies for an operator's license as herein prescribed, the board shall issue an operator's license to the association or corporation, as the case may be, naming therein the officer or responsible natural person licensed with such association or corporation. Such officer

or responsible natural person may engage in pest control on behalf of the association or corporation only so long as he remains in such capacity for the association or corporation, *but he may become associated with another association or corporation, or with a firm or partnership, in a capacity other than as a qualifying officer, operator, or partner.*

SEC. 2. Section 8569 of said code is amended to read:

8569. In addition to the partner licensed as operator upon the application of the partnership, if other partners desire to actively engage in pest control in behalf of the partnership each shall be required to qualify for and to be licensed as an operator.

Upon being licensed as an operator, such other partner may engage in pest control only on behalf of the partnership of which he is a member, as long as he remains a partner thereof, *but he may become associated with another partnership, or with a firm or corporation, in a capacity other than as a qualifying partner, operator, or officer.*

SEC. 3. Section 8570 of said code is amended to read:

8570. In addition to the officer of, or responsible natural person employed by an association or corporation licensed as operator upon the application of the association or corporation, if any other officers desire to actively engage in pest control in behalf of the association or corporation, each shall be required to qualify for and to be licensed as an operator.

Upon being licensed as an operator, such officer may engage in pest control only on behalf of the association or corporation of which he is an officer, so long as he remains an officer thereof, *but he may become associated with another association or corporation, or with a firm or partnership, in a capacity other than as a qualifying officer, operator, or partner.*

SEC. 4. Section 8516 is added to said code to read:

8516. (a) The provisions of this section shall apply only to wood destroying pests or organisms.

(b) No licensee shall commence work on a contract, or sign, issue or deliver any documents expressing an opinion or statement relating to the absence or presence of wood destroying pests or organisms until an inspection has been made. A written inspection report conforming to this section shall be prepared and delivered to the person requesting the inspection or his designated agent before the work is completed. When an inspection is made and a report is issued, the following shall be set forth in the report:

1. The date of the inspection.
2. The name of the person or firm ordering the report.
3. The address or location of the property.
4. A general description of the building or premises inspected.
5. A foundation diagram or sketch of the structure or structures or portions of such structure or structures inspected, indicating thereon the approximate location of any infested or infected areas evident, and the parts of the structure where conditions exist which would ordinarily subject such parts to attack by wood destroying pests or organisms.
6. Information regarding the substructure, foundation walls and footings, porches, patios and steps, air vents, abutments, attic spaces or other parts subject to attack by wood destroying pests or organisms. Conditions usually deemed likely to lead to infestation or infection, such as earth contacts, excessive cellulose debris, faulty grade levels, excessive moisture conditions and insufficient ventilation are to be reported.
7. Indication or description of any areas normally subject to damage which are inaccessible or for other reason not inspected, with suggestion for further inspection if practicable. If, after the report has been made in compliance with the provisions of this section, authority is given later to open inaccessible areas, a supplementary report on conditions in these areas shall be made
8. Recommendations for corrective measures.

(c) Such report and any contract entered into shall also state specifically when any guarantee for the work is made, and if so, the specific terms of the guarantee and the period of time for which the guarantee shall be in effect.

(d) Control service is defined as the regular reinspection of a property after a report has been made in compliance with the provisions of this section and such corrections as have been agreed upon have been completed. Under a control service agreement a licensee shall refer to the original report and contract in such manner as to identify them clearly, and said report shall be assumed to be a true report of conditions as originally issued, except as it may be modified after a control service inspection. A licensee is not required to issue a report as outlined in subsections 1 to 8 inclusive after each control service inspection If after control service inspection, no modification of the original report is made in writing, then it will be assumed that conditions are as originally reported. A control service contract shall state specifically the particular wood destroying pests or organisms and the portions of the buildings or structures covered by such contract.

SEC 5. Section 8517 is added to said code to read:

8517. Any work, contract, billing, agreement, letter of work completed, or other correspondence or document expressing an opinion or making a statement relating to the presence or absence of wood destroying pests or organisms, except a control service

report, shall refer to the report defined in subsections 1 to 8 inclusive of Section 8516. Such documents shall indicate specifically whether all of the recommended work as set forth in the inspection report was completed, or if not, it shall indicate specifically which recommendations were not completed.

SEC. 6. Section 8652 is added to said code to read:

8652 Failure of an operator to make and keep all inspection reports, contracts, documents, and records, for a period of not less than two years after completion of any work or operation for the control of wood destroying pests or organisms, is a ground for disciplinary action. Only records pertinent to a complaint shall be made available to the registrar during business hours."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2695—An act to add Section 118.1 to the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 118.1 to", and insert "amend Section 118 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 118 of the Welfare and Institutions Code is amended to read:

118. Except as otherwise provided in this section, all applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of this code relating to any form of public assistance for which grants in aid are received by this State from the United States Government shall be confidential, and shall not be open to examination for any purpose not directly connected with the administration of such provision of this code.

Except as otherwise provided in this section, no person shall publish or disclose or permit or cause to be published or disclosed any list of persons receiving any such public assistance. Except for purposes directly connected with the administration of such public assistance, no person shall publish, disclose, or use or permit or cause to be published, disclosed, or used any confidential information pertaining to an applicant or recipient. Any violation of this section is a misdemeanor.

The State Department of Social Welfare may make rules and regulations governing the custody, use and preservation of all records, papers, files and communications pertaining to the administration of the public assistance laws. The rules and regulations shall be binding on all departments, officials and employees of the State, or of any political subdivision of the State and may provide for giving information to or exchanging information with public agencies or private social welfare or health agencies for their use in relation to cases in which such agencies, as a part of their usual duties, are making social investigations for the purpose of rendering social services, and for making case records available for research purposes provided that such research will not result in the disclosure of the identity of applicants for public assistance.

Any person, including every public officer and employee, who secures, or possesses, other than in the course of official duty, a list, published or disclosed in violation of this section, of persons who have applied for or who have been granted any form of public assistance for which state assistance is made available to the counties of the State, including but not limited to aid to the aged, aid to needy children, aid to needy blind, and aid to partially self-supporting blind residents, is guilty of a misdemeanor."

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 10, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3270—An act to regulate the practice of psychology prescribing the terms upon which licenses may be issued to practitioners of psychology, creating a State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 23, 1951, strike out "regulate the practice of psychology", and insert "license psychologists,".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 12, inclusive, and insert "ferred to as the board.

The board shall consist of the following seven members:

Two persons who are licensed under subdivision (a), Section 2135 of the Business and Professions Code.

Five practicing psychologists who possess the degree of Ph. D with a major in psychology from a state accredited college or university and who possess the necessary qualifications for a license under this act.

Each member of the board shall be a citizen and resident of the State of California."

Amendment No. 3

On page 2 of said bill, strike out lines 3 to 10, inclusive, and insert

"SEC. 2. The members of the board shall be appointed by the Governor for a term of three years and they shall serve until the appointment and qualification of their successors, except the members of the board first to be appointed under this act shall hold office, two for a term of one year, two for a term of two years, and three for a term of three years, as designated by the Governor.

The first appointments shall be made by the Governor within thirty days of the effective date of this act.

Vacancies occurring shall be filled by appointment for the unexpired term."

Amendment No. 4

On page 2, line 17, of said bill, after "of", insert "a president and".

Amendment No. 5

On page 2, lines 27 and 28, of said bill, strike out "a salary to be fixed by the board, together with".

Amendment No. 6

On page 2, line 32, of said bill, strike out "at times".

Amendment No. 7

On page 2, line 39, of said bill, strike out "to".

Amendment No. 8

On page 2, line 47, of said bill, strike out "to practice psychology,".

Amendment No. 9

On page 2, line 49, of said bill, strike out "its duties", and insert "this act".

Amendment No. 10

On page 3 of said bill, strike out line 4, and insert a period.

Amendment No. 11

On page 3 of said bill, strike out lines 9 and 10, and insert

"SEC. 5. The practice of psychology for the purposes of this act shall be defined as the use of "psychotechnology", which is the body of general principles of psychology as applied to practical ends, and refers to specific procedures which are:

(a) Testing by interviewing persons.

(b) Giving verbal, written, or mechanical tests for the purpose of determining a person's emotional, vocational, social, adjustments or maladjustments, aptitudes, attitudes, capacities, or intelligence.

(c) The use of methods of re-education, persuasion, analysis, guidance, suggestion, and interpretation for the purposes of readjustment."

Amendment No. 12

On page 3 of said bill, strike out lines 21 to 52, inclusive; strike out all of page 4; and on page 5, strike out lines 1 to 18, inclusive, and insert

"SEC. 6. (a) Persons wishing to take the examination for licensing under this act shall make application to the board 15 days prior to any meeting thereof upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of fifty dollars ($50) and a certificate showing good moral character of the applicant."

Amendment No. 13

On page 5, line 19, of said bill, strike out "SEC. 6. (a)", and insert "(b)".

Amendment No. 14

On page 5, line 28, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 15

On page 5 of said bill, strike out lines 31 to 43, inclusive, and insert

"(d) All examinations shall be prepared by the board, shall be in writing, shall be practical in character, and shall be designed to ascertain the fitness of the applicant for licensing under this act.

(e) The examination shall measure the applicant's knowledge of psychological theories and techniques as taught in the approved schools and colleges and shall be divided into six sections. The first section of the examination shall measure the applicant's knowledge of psychological theories and techniques as taught in the first two undergraduate years in an approved school or college. The second section shall measure the applicant's knowledge of psychological theories and techniques as taught in the third undergraduate year in an approved school or college. The third section shall measure the applicant's knowledge of psychological theories and techniques as taught in the fourth undergraduate year in an approved school or college The fourth, fifth and sixth sections shall measure the applicant's ability to apply his knowledge to general and specific psychological problems which may occur within the function or application of psychotechnology as defined in this act.

(f) A license shall be issued to any applicant who shall make a general average of 75 percent and shall not fall below 60 percent in more than two sections of the examination Any applicant failing to meet the required standards shall be given credit for the sections passed and may, without further costs, take an examination upon the other sections at any subsequent regular examination.

(g) Any applicant who possesses the degree A B. with a major in psychology from a school or college approved by the board shall not be required to take the first three sections of such examination. Any applicant who possesses the degree M A. with a major in psychology from a school or college approved by the board shall not be required to take the first four sections of such examination. Any applicant who possesses the degree Ph D with a major in psychology from a school or college approved by the board shall not be required to take the first five sections of such examination. Any applicant may elect to take one or more sections of such examination at any regularly scheduled examination given by the board."

Amendment No. 16

On page 5 of said bill, strike out line 44, and insert "SEC. 7. One".

Amendment No. 17

On page 5, lines 46 and 47, of said bill, strike out "designated "license to practice psychology," " and insert "entitled "licensed psychologist," ".

Amendment No. 18

On page 5, line 48, of said bill, after "psychology", insert "as defined in this act and to hold himself out to the public as a "licensed psychologist" ".

Amendment No. 19

On page 5 of said bill, between lines 49 and 50, insert

"Nothing in this act shall be construed to limit or to prevent the practice of psychology by any person not licensed under this act if such person does not represent himself to be a "licensed psychologist." "

Amendment No. 20

On page 5 of said bill, strike out lines 51 and 52; and on page 6, strike out lines 1 to 39, inclusive, and insert "as defined in this act for a period of three years prior to the enactment of this act, shall be given a license, provided he shall present to the board proof of such practice in the form of two references signed by persons licensed under subdivision (a), Section 2135 of the Business and Professions Code, which recommendations shall state that to the best of the signator's knowledge and belief the applicant has for a period of three years employed in such practice methods

included in the definition of psychology as set forth in this act, and that the applicant is of good moral character, and further provided that application for said license is made within six months of the date upon which this act takes effect, and that each applicant shall pay the secretary of the board the sum of fifty dollars ($50)."

Amendment No. 21

On page 6, line 46, of said bill, strike out "to practice psychology".

Amendment No. 22

On page 6, line 49, of said bill, strike out "psychological practitioners", and insert "licensed psychologists".

Amendment No. 23

On page 6, line 52, of said bill, strike out "to practice psychology in this State".

Amendment No. 24

On page 7, line 1, of said bill, strike out "grounds, to wit", and insert "following grounds".

Amendment No. 25

On page 7, line 6, of said bill, strike out "ardent spirits", and insert "alcoholic beverages"

Amendment No. 26

On page 7, line 8, of said bill, strike out "; the advertising"; strike out lines 9 to 19, inclusive; and in line 20, strike out "tion so advertising", and insert "; or engaging in his profession in a negligent or wrongful manner".

Amendment No. 27

On page 7, line 52, of said bill, strike out "psychology", and insert "as a licensed psychologist".

Amendment No. 28

On page 8, line 3, of said bill, strike out "psychology".

Amendment No. 29

On page 8, line 12, of said bill, strike out "psychology", and insert "as a licensed psychologist".

Amendment No. 30

On page 8, line 23, of said bill, strike out "to practice".

Amendment No. 31

On page 8 of said bill, strike out lines 47 to 52, inclusive; and on page 9, strike out lines 1 to 16, inclusive, and insert

"SEC. 14 Any person who shall buy, sell, or fraudulently obtain a license, whether recorded or not, or who shall use the title "licensed psychologist" without first complying with the provisions of this act shall be".

Amendment No. 32

On page 9, line 24, of said bill, strike out "apply to any"; strike out lines 25 to 28, inclusive; and in line 29, strike out "State; nor shall this act".

Amendment No. 33

On page 9 of said bill, strike out lines 39 to 46, inclusive, and insert

"SEC. 16. Licensees under this act who treat patients for more than one treatment in any calendar month must require the patient to furnish for the licensee's permanent files a comprehensive case history form, designated by the board, signed by a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code. Such form shall state that the patient in the opinion of the signator does not suffer from any mental disease. No licensee under this act shall treat or offer to treat any person who suffers from a mental disease except under the direction or supervision, or on prescription, of a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code.

SEC 17. The confidential relations and communications between licensed psychologists and patient are placed on the same basis as those provided by law between physician and patient, and nothing in this act shall be construed to require any such privileged communication to be disclosed"

Amendment No. 34

On page 9, line 47, of said bill, strike out "17", and insert "18".

Amendment No. 35

On page 10 of said bill, strike out lines 1 to 6, inclusive, and insert

"SEC. 19. All acts and parts of acts which may conflict with the provisions of this act as applied to persons licensed under this act are hereby repealed insofar as this act is concerned."

Amendment No. 36

On page 10, line 7, of said bill, strike out "19", and insert "20".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF SENATE BILLS

Senate Bill No. 64—An act to add Section 26153 to the Government Code, relating to accident prevention education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1031—An act to consolidate and revise the law relating to community redevelopment and housing for the preservation of the public health and safety, and the formation, regulation, and operation of corporations therefor, by adding Division 24 and Section 40021 to the Health and Safety Code, and repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1060—An act to add Article 10 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1677—An act to amend Section 50022 of the Government Code, relating to fire prevention codes.

Bill read second time, and ordered to third reading.

Senate Bill No. 645—An act to add Chapter 4.5 to Division 4 of the Water Code, relating to the alteration, diversion or deflection of streams.

Bill read second time, and ordered to third reading.

Senate Bill No. 1691—An act to amend Section 5425 of the Public Resources Code, relating to recreation park and parkway districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 238—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Bill read second time, and ordered to third reading.

Senate Bill No. 505—An act to amend Sections 14441, 14449.1, 14449.2, 14452, 14638, 14641, 14680, 14681, and 14683 of, and to add Section 14575.1 to, the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 506—An act to amend Section 14634 of the Education Code, relating to the computations of service of members of the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 648—An act to repeal Education Code Sections 20379, 20344.1, and 20344.2 and to add Chapter 1.5 to Division 10 of said code, relating to schools and colleges under the jurisdiction of the Department of Education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1076—An act to add Section 13845 to the Education Code, relating to the Public School System of the State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 231—An act to amend Section 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Bill read second time, and ordered to third reading.

Senate Bill No. 370—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to contracts of public officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 876—An act to add Section 13011 to the Government Code, relating to the powers and duties of the Director of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 5, 1951, strike out the second "of", and insert "in".

Amendment No. 2

On page 1 of said bill, after line 10, insert

"If more than one bid is received, the board shall award a contract, as specified in the notice requesting bids, to the lowest responsible bidder. If only one bid is received, the board may either accept the bid or reject it and enter into a contract as provided in Section 6515.5 or order the work done by day's work. If no bids are received, the board may either enter into a contract as provided in Section 6515.5 or order the work done by day's work

This section shall have no application where the work is done pursuant to those acts set forth in Sections 6541 and 6541.5 of this code.

Any contract to which this section applies that is not let pursuant to this section is void."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1534—An act to add Section 35561.1 to the Government Code, relating to withdrawal of territory from cities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on April 23, 1951, after line 20, insert

"The provisions of this section shall not apply to annexation proceedings heretofore approved by a final decision of a court of record in this State."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 22—Relative to memorializing Congress to consider the use of the Georgetown to Wentworth Springs and Chambers Lodge at Lake Tahoe on Highway 89 as a principal East-West traffic artery for civil and military defense.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 4 of the title of the printed measure, as amended in the Senate on April 4, 1951, strike out "a principal", and insert "an".

Amendment No. 2

In line 5 of the title of said measure, after "defense", insert "in case of emergency."

Amendment No. 3

On page 2, line 6, of said measure, strike out "a principal", and insert "an".

Amendment No. 4

On page 2, line 7, of said measure, after "fense", insert "in case of emergency".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Joint Resolution No. 24—Relative to memorializing Congress to consider the use of California State Highway Sign Route No. 88 as a principal East-West traffic artery for civil and military defense.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 3 of the title of the printed measure, strike out "a principal", and insert "an".

Amendment No. 2

In line 4 of the title of said measure, after "defense", insert "in case of emergency".

Amendment No. 3

On page 1, line 21, of said measure, strike out "a principal", and insert "an".

Amendment No. 4

On page 1, line 22, of said measure, after "defense", insert "in case of emergency".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 234—An act to amend Sections 4303 and 4304 of the Government Code, relating to public contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 22, 1951, strike out lines 1 and 2, and insert

"An act to amend Section 4301 of the Government Code relating to public purchases of American-made materials."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 4301 of the Government Code is amended to read.

4301. This article does not apply to materials which are of a class or kind which are not, or which are manufactured from materials which are not, produced in the United States *; nor does this article apply to manufactured materials produced in Great Britain or Canada when materials of the same class or kind produced in the United States are not available and cannot be procured or when such manufactured materials produced in Great Britain or Canada possess useful features or capabilities not possessed by manufactured materials produced in the United States, although of the same class or kind.*"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "property", insert ", except property acquired for state highway purposes,".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 872—An act to add Sections 8151.1, 13401.1, and 16276 to the Education Code, all relating to aid by the public schools in the harvesting of crops.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 16, 1951, after the comma, strike out "the governing"; and all of line 6, and insert "upon a finding by the California Department of Employment that spoilage of a perishable crop will result because of a critical shortage of farm labor the governing board of a school district in which such crop is located may maintain the schools of the dis-".

Amendment No. 2

On page 2 of said bill, between lines 12 and 13, insert

"Nothing in this section shall permit or allow any student under the age of fourteen (14) to harvest such crops nor shall any student be permitted or allowed to use or to be in a position to use any dangerous equipment."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney and Sam L. Collins:

House Resolution No. 140—Relative to Mother's Day.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 140, at this time, without reference to committee or file.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 140 as Co-authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 140 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 140:

Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—71.

Further Consideration of House Resolution No. 140

By Messrs. Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker,

Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson:

House Resolution No. 140

Relative to Mother's Day

WHEREAS, In the year 1914, by an act of Congress, and the President of the United States, the second Sunday in May has been established as Mother's Day, a day set aside to observe and pay a just tribute to Mother's love; and

WHEREAS, This day, sanctified and enriched with all of its friendly associations, has taken its place foremost in earth's tribute to man's greatest friend and benefactor, "Mother"; and

WHEREAS, While we in America dedicate this day to our own Mothers, we also dedicate it to the Mothers of the World, all of whom, no matter in what country they may be, share the same love and affection, the same burdens, and sorrow, and pain, as do the Mothers of this great and glorious Nation, the United States of America; and

WHEREAS, The chords of memory swell within the heart of each of us as we contemplate all the love that one lady, "Your Mother," has given to you, and we recall the words of Abraham Lincoln when he said, "All that I am and all that I ever hope to be, I owe to my angel Mother"; now, therefore, be it

Resolved, That the State Assembly extend to the living Mothers of California our sincere and best wishes for a happy Mother's Day, and we pay a solemn tribute to those Mothers who have gone to their Eternal Reward, remembering these solemn words:

"The bravest battle ever fought,
Shall I tell you where and when?
On the map of the World you will find it not
'Twas fought by the Mothers of men."

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire alarm apparatus and false alarms, providing punishment therefor;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Senate on May 1, 1951, after "bodily injury", insert "or death".

REGAN	GEORGE D. COLLINS
BUSCH	GAFFNEY
O'GARA	FLEURY
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 479?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 12, 1951, strike out the "(1)", and insert "170.5. (1)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 479 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 479 ordered enrolled.

Assembly Bill No. 1176—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1176?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "shall", and insert "may".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 28 and 31, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1176 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1176 ordered enrolled.

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1227?

Amendment No. 1

On page 1, line 8, of the printed bill, after "fee", insert "of five dollars ($5)".

Amendment No. 2

On page 1, line 10, of said bill, strike out "for more than one year".

Amendment No. 3

On page 1, lines 11 and 12, of said bill, strike out "for each year plus delinquent fees for each year", and insert "plus the delinquency fee".

Amendment No. 4

On page 1, line 16, of said bill, after the period, strike out the remainder of the line; and strike out all of lines 17, 18, and 21.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1227 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1227 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 1466
Assembly Bill No. 2040
Assembly Bill No. 3376
Assembly Bill No. 3411

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 2216

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2717—An act to amend Section 656 of the Agricultural Code, relating to purchase of oleomargarine for state institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2717?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 5, 1951, after "limitation", strike out "of".

Amendment No. 2

On page 1, line 10, of said bill, as amended, strike out "unable".

Amendment No. 3

On page 1 of said bill, as amended, strike out all of line 11; and on line 12, strike out "ernment", and insert "informed in writing that government holdings of butter cannot be purchased or acquired by the State".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2717 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr Speaker—66.

NOES—None.

Assembly Bill No. 2717 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3312 WAIVED

Mr. Morris waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3312 was refused passage.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3307 WAIVED

Mr. Kirkwood waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3307 was passed.

Assembly Bill No. 3307 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3310 WAIVED

Mr. Kirkwood waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3310 was passed.

Assembly Bill No. 3310 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3411—An act to add Section 25465 to the Government Code, relating to contracts for public works.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2011

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

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 987

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

EVANS, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 988

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

EVANS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, between lines 16 and 17, insert

"(d) Any person under the age of 21 years who has any alcoholic beverage in his possession on any street or highway or in any public place is guilty of a misdemeanor. This subdivision shall not apply to possession by a person under the age of 21 years making a delivery of such alcoholic beverage in pursuance of the order of his parent or in pursuance of his employment."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 2127
Assembly Bill No. 3364

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 789—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies;

Assembly Bill No. 800—An act to amend Section 1664 of the Insurance Code, relating to insurance agents, brokers and solicitors;

Assembly Bill No. 847—An act to add Sections 7.1 and 10.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a m.

BURKE, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 333
Senate Bill No. 382
Senate Bill No. 915
Senate Bill No. 1683

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

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2041
Assembly Bill No. 3098

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

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3239

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

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 830

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

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 101

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

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1789

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

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 914

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

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 36
Assembly Constitutional Amendment No. 41

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, be adopted, as amended, and re-refer to Committee on Ways and Means.

CROWLEY, Chairman

Above reported resolutions ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3376

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3376, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3376

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2513—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 402 and 422.5", and insert "Section 402".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "and financial responsibility of owners and operators", and insert "of owners".

Amendment No. 3

On page 2 of said bill, strike out lines 42 to 51, inclusive; and strike out page 3.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker,

Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 881—An act to add Section 1101.1 to the Insurance Code and to amend Section 1106 of such code, relating to brokerage commissions on reinsurance, and penalties therefor;

Assembly Bill No. 900—An act to add Section 10211 to the Education Code, relating to insurance against liability arising from courses in driver education and training;

Assembly Bill No. 965—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1024—An act to amend Sections 31521 and 31595 of the Government Code, relating to county retirement systems;

Assembly Bill No. 1079—An act to add Sections 31627.1, 31629, and 31671.1 to, and to amend Sections 31527, 31591, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees;

Assembly Bill No. 1199—An act to add Sections 31114 and 31115 to the Government Code and to add Article 6, comprising Sections 45200, 45201, and 45210 to Chapter 1, Division 5, Title 4 of the Government Code, relating to city and county civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2417—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708 5, 3710, 3718, 3719, and to add Section 2705 5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property;

Assembly Bill No. 2794—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind;

Assembly Bill No. 2842—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax-delinquent property;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 3037

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 3409

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 326
Senate Bill No. 509
Senate Bill No. 1605

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

DUNN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 288—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2127—An act to add Section 657 to, and to amend Section 639 of, the Agricultural Code, relating to milk and milk products and imitations thereof.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Tomlinson—60.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54388 to, the Government Code, relating to revenue bonds;

Assembly Bill No. 2890—An act adding Section 25560.4 to the Government Code, relating to the use of county parks;

Assembly Bill No. 2938—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 3032—An act to add Section 27645 to the Government Code, relating to the duties of county counsels;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1984
Assembly Bill No. 2850

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 529

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

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No 528
Senate Bill No. 529

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

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3037—An act to add Section 941 to the Agricultural Code, relating to cotton.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

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

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—George D. Collins, Kirkwood, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—59.

NOES—Gubser, Kirkwood, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—59.

NOES—Gubser, Kirkwood, Lowrey, and Silliman—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2040—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 461—An act to amend Section 737rr of the Political Code, and 79.44 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

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

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—57.

NOES—Burkhalter and George D. Collins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1118—An act to amend Section 73700 of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Klocksiem, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2216—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—Burkhalter, George D. Collins, and Luckel—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3357—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1041—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 57—Relative to congratulating the University of San Francisco for establishment of a compulsory course in the evils of Communism.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Silliman asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Concurrent Resolution No. 57, and that he be recorded as voting "Aye".

Assembly Bill No. 284—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read third time.

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

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 289—An act to add Sections 9594.1, 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning.

Bill read third time

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

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1053—An act to add Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No 2818
Assembly Bill No 3357

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Concurrent Resolution No. 39
Assembly Concurrent Resolution No. 57

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 610

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2531

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 3177

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

LEVERING, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Speaker Sam L. Collins reminded the members of the special order of business pending upon the file on Assembly Bill No. 1985, and announced that it has been recommended that proposed committee amendments, exclusive of the proposed cigarette tax amendment, be adopted, at this time, for the purpose of ordering the bill to be reprinted today, in the interest of time.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1985 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED TO COMMITTEE

Mr. Sherwin asked for unanimous consent that Assembly Bill No. 1985 be withdrawn from the special order file, and be re-referred to the Committee on Revenue and Taxation with proposed amendments by the Committee on Ways and Means.

Mr. Lowrey withheld unanimous consent.

Motion That Proposed Amendments Be Adopted and That Assembly Bill No. 1985 Be Re-referred to the Committee on Revenue and Taxation

Mr. Sherwin moved that amendments being proposed by the Committee on Ways and Means to Assembly Bill No. 1985, exclusive of the proposed cigarette tax amendment, be adopted, at this time; and that the bill, as amended, be re-referred to the Committee on Revenue and Taxation.

Mr. Collier seconded the motion.

Point of Order

Mr. Lowrey arose to the following point of order: That, as the proposed amendments are not yet in the bill, Mr. Sherwin's motion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Division of the Question

Mr. Lowrey asked for a division of the question, as follows:

(1) Consideration of proposed committee amendments, exclusive of the proposed cigarette tax amendment; and

(2) Consideration of the motion to re-refer the bill, as amended, to the Committee on Revenue and Taxation.

Division of the Question Agreed Upon by Unanimous Consent

By unanimous consent, a division of the question was agreed upon.

Division of the Question

The question being on the consideration of proposed committee amendments to Assembly Bill No. 1985.

Consideration of Committee Amendments

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 6 of the printed bill, as amended in the Assembly on April 10, 1951, strike out lines 10 and 11, and insert "determining the total current expenses of a district for transportation."

Amendment No. 2

On page 6 of said bill, strike out lines 14 and 15, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7037."

Amendment No. 3

On page 6 of said bill, strike out line 18, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Amendment No. 4

On page 21, line 35, of said bill, strike out "to", and insert "during".

Amendment No. 5

On page 21 of said bill, between lines 36 and 37, insert

"For the purposes of this section: (1) in making any computation under Section 7091, the assessed valuation in the district as shown by the equalized assessment roll of the district for the current school year shall be used in lieu of the assessed valuation prescribed by said section and (2) Sections 7104 and 7105 shall not be applicable."

Amendment No. 6

On page 26, line 15, of said bill, strike out "and", and insert "if".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion That Assembly Bill No. 1985, as Amended, Be Re-referred to the Committee on Revenue and Taxation

Mr Sherwin moved that Assembly Bill No. 1985, as amended, be re-referred to the Committee on Revenue and Taxation.

Mr. Collier seconded the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the motion by Mr. Sherwin not in order, as the bill has been ordered reprinted, and is not available for consideration, at this time.

Remarks on Condition of the File

Mr. Dunn spoke on the condition of the file.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Dunn is not in order to speak on the condition of the file, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Doyle arose to the following point of order: That there is nothing before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 1985

Mr. Sherwin asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1985.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28294, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280.1, 28282.5, 28292, and 28299 to the Health and Safety

Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2818

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2818, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2818

Assembly Bill No. 2818—An act to amend Section 737LL of the Political Code, relating to salaries of Superior Judges in the City and County of San Francisco.

Bill read third time

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 10, 1951, after "737a," insert "737s,".

Amendment No. 2

In line 6 of the title of said bill, after "79.1," insert "79 19,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, after line 18, insert

"SEC. 3 5. Section 737s of said code is amended to read:

737s The annual salary of each of the Judges of the Superior Court in and for the County of Los Angeles is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*."

Amendment No. 4

On page 2 of said bill, between lines 18 and 19, insert

"SEC. 6 5 Section 79 19 of the Code of Civil Procedure is amended to read:

79 19. The annual salary of each Judge of the Superior Court in and for the County of Los Angeles is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*."

Amendment No. 5

On page 2, line 19, of said bill, strike out "and 6", and insert ", 6, and 6 5".

Amendment No. 6

On page 2, line 20, of said bill, after "737a," insert "737s,".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3419

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3419, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3419

Assembly Bill No. 3419—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2502 HOLD PLACE ON FILE

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2502 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1217—An act to add Section 1596.2 to, and amend Section 4630 of the Education Code, relating to school sites, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—54.

NOES—None.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2493—An act to add Section 18061 to the Education Code, relating to the payment of construction contracts.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klockstem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "Six", and insert "Five".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 11.38 a.m., Mr. Grant asked for, and was granted, unanimous consent that Messrs. Morris and Porter be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1490—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the Deadly Weapons", and insert "the Dangerous Weapons' ".

Amendment No. 2

On page 1, line 1, of said bill, strike out "the Deadly Weapons", and insert "the Dangerous Weapons' ".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2290, on motion of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2665 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2665 be passed on file, and hold its place on file on the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 141

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (typewriter service)	$20.85
Clark Water Company (drinking water)	9.66
Cascade Towel Supply (towel service)	77.50
Specialized Office Equipment Co. (supplies)	188.55
Chalton Florist (floral piece, Assemblyman George R. Butters)	20.70

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 141, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

By Messrs. Lyon and Maloney:

House Resolution No. 142

Relating to J. Earl Esola

WHEREAS, J. Earl Esola is retiring from his position in the office of the State Controller after 29 years of faithful service with the State; and

WHEREAS, J Earl Esola, better known to his many friends as "Chief," has endeared himself in the hearts of the Members of the Legislature and of his many acquaintances by his activities both as a true servant of the people of the State and as a benefactor and friend of his fellow citizens; and

WHEREAS, The Chief, prior to his 15 years of service in the State Controller's office, was employed by the State Reclamation Board; and

WHEREAS, He has throughout his life maintained his great interest in athletics arising from his activities as a professional baseball player in which he distinguished himself as a shortstop in the Coast League and with the San Francisco Seals Baseball Team, and

WHEREAS, His activities in basketball and football as a player led him later to be active as a referee in such games; and

WHEREAS, The Chief was one of the earliest camera men in the motion picture industry prior to his entry into state service, and has since maintained his interest in motion pictures and is now considered one of the outstanding amateur motion picture enthusiasts; and

WHEREAS, The Chief has become one of the leading "hams" in the field of amateur radio and was one of the first amateur radio operators to be licensed to operate a short wave radio; and

WHEREAS, His interest in athletics and in the youth of this State led him to be active in organizing and coaching the first American Legion Junior Baseball Team in Sacramento; and

WHEREAS, He and his wife, Ethel M Esola, have purchased a home on the McKenzie River in Oregon; and

WHEREAS, His many activities and close contact with the Legislature have instilled a firm affection for him in the hearts of all of the members of this body; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends to Chief Esola its heartiest congratulations for his many successes in life and in his chosen work with the State of California and its best wishes that his retirement will prove long and pleasant but will not keep him from coming frequently to these legislative halls to renew his old acquaintances; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare a suitably engrossed copy of this resolution and transmit it to J. Earl Esola.

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 142

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

DICKEY, Chairman

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 142, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 142

By Messrs. Lyon and Maloney:

House Resolution No. 142

Relating to J. Earl Esola

WHEREAS, J. Earl Esola is retiring from his position in the office of the State Controller after 29 years of faithful service with the State; and

WHEREAS, J. Earl Esola, better known to his many friends as "Chief," has endeared himself in the hearts of the Members of the Legislature and of his many acquaintances by his activities both as a true servant of the people of the State and as a benefactor and friend of his fellow citizens; and

WHEREAS, The Chief, prior to his 15 years of service in the State Controller's office, was employed by the State Reclamation Board; and

WHEREAS, He has throughout his life maintained his great interest in athletics arising from his activities as a professional baseball player in which he distinguished himself as a shortstop in the Coast League and with the San Francisco Seals Baseball Team; and

WHEREAS, His activities in basketball and football as a player led him later to be active as a referee in such games; and

WHEREAS, The Chief was one of the earliest camera men in the motion picture industry prior to his entry into state service, and has since maintained his interest in motion pictures and is now considered one of the outstanding amateur motion picture enthusiasts; and

WHEREAS, The Chief has become one of the leading "hams" in the field of amateur radio and was one of the first amateur radio operators to be licensed to operate a short wave radio; and

WHEREAS, His interest in athletics and in the youth of this State led him to be active in organizing and coaching the first American Legion Junior Baseball Team in Sacramento; and

WHEREAS, He and his wife, Ethel M. Esola, have purchased a home on the McKenzie River in Oregon; and

WHEREAS, His many activities and close contact with the Legislature have instilled a firm affection for him in the hearts of all of the members of this body; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends to Chief Esola its heartiest congratulations for his many successes in life and in his chosen work with the State of California and its best wishes that his retirement will prove long and pleasant but will not keep him from coming frequently to these legislative halls to renew his old acquaintances; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare a suitably engrossed copy of this resolution and transmit it to J. Earl Esola.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1721

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1721, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1721—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1721?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28111", and insert "28112"

Amendment No. 2

In line 3 of the title of said bill, strike out "eleventh", and insert "twelfth".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"SECTION 1 Section 28112 of the Government Code is amended to read:

28112 In a county of the twelfth class the following shall receive as compensation for the services required of them by law or by virtue of their office the following sums:

(a) The auditor, [six thousand nine hundred dollars ($6,900)] *seven thousand five hundred dollars ($7,500)* a year.

(b) The district attorney [seven thousand eight hundred dollars ($7,800)] *eight thousand four hundred dollars ($8,400)* a year for his full-time services. He shall not engage in the private practice of law.

(c) Each supervisor, [three thousand six hundred dollars ($3,600)] *four thousand two hundred dollars ($4,200)* a year and the necessary and actual expenses incurred in the performance of the duties of his office.

(d) Grand jurors and trial jurors in superior courts shall receive for each day's attendance in court, upon regularly called jury meetings, committee meetings, or when appointed by the foreman of a grand jury to make individual investigations three dollars ($3) a day. In justices' courts in civil cases, jurors shall receive for each day's attendance, two dollars ($2). In justices' courts and city courts in criminal cases jurors shall receive for each day's attendance, one dollar and fifty cents ($1.50). All jurors shall receive ten cents ($0.10) for each mile actually and necessarily traveled from their residences to the places of service, in going only, mileage to be allowed but once in any one day, during any session of the court where the jurors serve. The fees of all trial jurors in civil cases shall be paid by the litigants as other costs are paid, and jurors in criminal cases in a city court shall be paid by the city in which the court is established.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1721 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1721 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 737—An act to amend Section 1311 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 738—An act to amend Section 1252 of the Fish and Game Code, relating to beaver.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1446—An act to amend Section 929 of the Fish and Game Code, relating to sardines.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 287—An act to amend Section 1025 of the Agricultural Code, relating to statements of chemical analysis of agricultural minerals.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No 1216
Assembly Bill No. 3410

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 288—An act to amend Section 1061 of the Agricultural Code, relating to definitions of economic poisons.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 959—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 883—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and court orders in determining the mental health of a person alleged or found to be mentally ill.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1579

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1579, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1579

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Bill read third time.

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

AYES—Babbage, Berry, Brady, Burke, Caldecott, Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 214

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 214, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 214

Senate Bill No. 214—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 8

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 8, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 8

Senate Bill No. 8—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—57.

NOES—Hahn—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 89

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 89, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 89

Senate Bill No. 89—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers' licenses.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—53.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2827
Assembly Bill No. 2828

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

STANLEY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 110—An act to amend Section 736 of, and to add Section 737 5 to, the Vehicle Code, relating to procedure after arrest for a violation of the Vehicle Code.

Bill read third time.

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

AYES—Babbage, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—Belotti—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 39

Mr. Collier asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 39, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 39

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California.

Point of Order

Mr. Dunn arose to the following point of order: That, pursuant to the provisions of Rule 45, Assembly Concurrent Resolution No. 39 should be re-referred to the Committee on Ways and Means

Ruling by Speaker

After discussion on the issue involved, Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of Assembly Concurrent Resolution No. 39.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Elliott, Rosenthal, McMillan, and Hawkins:

House Resolution No. 143

Relating to the commendation to the people of California of support of the "Forest of the Six Million"

WHEREAS, The new nation of Israel began in March, 1951, a great memorial project to plant a woodland along the 40 mile corridor between the ancient city of Jerusalem and the modern metropolis of Tel Aviv each tree therein to commemorate a Jewish person slain by the Nazis and such memorial project to constitute an international shrine to be known as the "Forest of Six Million"; and

WHEREAS, Each tree will rise from the soil of Palestine along the Tel Aviv-Jerusalem way symbolic of mankind's triumph over those barbaric and genocidal forces that perpetrated the atrocities of Dachau, Belsen, and Lidice, and conspired to exterminate peoples and to turn back the clock to a new Dark Age; and

WHEREAS, Concomitant with the symbolic beauty of this memorial will be a practical service of reclamation and industrial purposes which it will serve; and

WHEREAS, This "Forest of Six Million" will rise as a shrine for all peoples of all races and creeds to them a remembrance of the tragic trials endured by our civilization during the sanguinary conflicts to defeat Nazism and as a resplendent testimonial for "peace on earth, good will toward men"; and

WHEREAS, It is most appropriate that the people of California participate in this project for the creation of this international memorial; now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend to the people of the State of California the support of the program toward the furnishing of trees from Americans for the "Forest of Six Million".

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

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No 896	Assembly Bill No 3165
Assembly Bill No. 1689	Assembly Bill No. 3175
Assembly Bill No. 1775	Assembly Bill No. 3183
Assembly Bill No. 2067	Assembly Bill No. 3229
Assembly Bill No. 2902	Assembly Bill No. 3254
Assembly Bill No. 3055	Assembly Bill No 3323

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 895
Assembly Bill No. 1221

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3175 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3165 re-referred to the Committee on Agriculture.

Assembly Bill No. 1689 re-referred to the Committee on Ways and Means

Assembly Bills Nos. 2067 and 3055 re-referred to the Committee on Social Welfare.

Assembly Bills Nos. 3323 and 1775 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2902, 3254, and 3229 re-referred to the Committee on Fish and Game.

Assembly Bills Nos. 895, 896, 1221, and 3183 re-referred to the Committee on Public Health.

Senate Bill No. 223 re-referred to the Committee on Ways and Means.

ANNOUNCEMENT

Mr. Hollibaugh announced that a luncheon meeting for the Members of the Los Angeles Delegation and the Members of the Los Angeles County Board of Supervisors will be held upon adjournment today at the Hotel Senator.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

Today—At 3 p.m.—

Ways and Means, in Room 435.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James D. Olson of Salem, Oregon.

On request of Messrs Dickey and Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Lt. Sylvia Wood, Lt. Lorella Smith, and Miss Ann Wursten, of Travis Field.

On request of Messrs. Erwin and Burke, the usual courtesies of the Assembly for this day were unanimously extended to Ethel Johnson Rowley of Alhambra.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Geraldine Mickelsen and Carmel Arthur, teachers, and the following pupils of the Marshall School: Reita Radcliff, Lois Peaslee, Jerry Sugar, Nadja Kerr, Emily Van Dyke, Susan Arnold, Maureen Crump, Larry Wiest, Judy Crossley, Wendy Renwick, Harriet Hemphill, Peter Miller, David Kelly, Becky Baboulas, Richard Wantz, Rayda Weser, Carolyn Rowe, Roselle Cuilla, Richard Placencia, Judy Davis, Howard Markham, Betty Phoenix, Marlene Marich, Gary Wantz, Martin Grinbergs, O. J. Solander, Shirley Johnson, Gilbert Ketcherside, Jerry Casey, and Marialyce Smith.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Leslie H. Maffey, Melvin Silva, and John H. Bond, adults, and the following pupils of the Alvarado School: Leonard Barrera, Lupe Bueno, Joyce Ann Caldeira, Jeany Cheng, John Corrales, Archie Delao, Johnny Gualeo, Eddie Maldonado, Sammy Muela, Albert Hernandez, Andrew Pimentel, Mervin Pinto, Conrad Preciado, Lupe Ramirez, Albert Rede, and Mercedes Rigmaiden.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Marken and sons, Craig and Paul, of Escondido.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Virginia Hubach, Alice Gayner, and Betty Lore, teachers, and the following pupils of the New Pacific School: Gladys Anderson, Barbara Berry, Wallena Brown, Roselene Marie Correia, Richard J. Dean, Linda Lou DeClusin, Anna Marie Dobrin, Jerry C. Edmondson, Ruby Joyce Foster, Bobby Grisso, Geraldine Harwood, Fred Hellyer, Myrtledean Horsley, Charles Huffhines, Louie Imada, Noriko Kurasawa, Nancy Leek, Rosie Lopez, Billy Maness, Dolores Manriquez, Louis Morgan, Robert Neves, Orene Ochikubo, Carol Penny, Mary Pinedo, Verna Powers, David Roberts, Janice Shepard, Richard Sherman, Fumiye Shimazu, John Sommers, James Stephens, Terry Teasley, Rose Marie Thomas, Carl Turpin, Paul Turpin, Lial Wagner, Patty Wagner, and Earl White.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to C. R. Holmes and Charles Manterfield of Alameda.

On request of Messrs. Fleury and Moss and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Helen Hartong of Sacramento.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Clough and sons, Stanley and Robby, of Fresno.

On request of Mr. Hollibaugh and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Art Hewitt, Don Kirby, Gus Borio, Walter Shaeffer, Charles Wathey, and Morrie Beam of Los Angeles.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Caroll Welch, teacher, and the following pupils of the Hilmar Unifield Schools: Billy Dean Anderson,

Earl Rudolph Anderson, William Stanley Avilla, Daniel Anthony Azevedo, Leslie Anthony Baptista, Jo Ann Beaty, Willia Frank Bernhardt, Mary Euleen Brown, Nancy Fay Brunelle, Betty Burnam, Thurman Canada, Charlon Rose Christy, Wilma Carol Conner, James Bryan Coop, Margaret Mary Cordero, John Gilliam Cowger, Kenneth Ray Crandell, Margaret Bernice Crawford, Beverly True Crumm, Darrel Charles Dahlquist, Russell Avila Dutra, Jacqueline Ann Elliott, Gary Oren Erickson, Clifford Rodger Falk, Tommy Ray Figley, Sammy Lane Freeman, Jo Ann Marie Furtado, Loretta Mae Garrett, Ernestine Gonzales, Marilyn Cholan Goodell, Gene Green, Cecile Elaine Hansten, Edward Gale Hass, Jean Lorraine Hayes, Joan Elaine Hayes, Frederick Heins, Raymond Hobbs, Dorothy Ann Hoffman, Harvel Holland, Clarence Raymond House, Clayton Henry House, Kathy Roberta Isbell, Larue Dwane Kinerson, Imogene Louise Leach, Kenneth Henry Lundell, Carolyn Louise McDonald, Barbara Ann McHughes, Elsie Margaret Mendes, Frances Margaret Mendes, Tony Raymond Mendes, Patricia Carolene Meyer, Charlene Joann Moore, Adrienne Joyce Nelson, Carl Edward Nielsen, Michael Alan Novo, Lloyd Elwin Nyman, Alma Patricia O'Connor, Barbara Jean Pettit, Raymond Ernest Pierce, Lester Paul Prehm, Loretta Elaine Rearick, Patricial Ann Reece, Pauline Clair Reece, Clyde Leroy Rhodes, Doris Jean Santi, Manuel Joseph Santos, William Henry Schmidt, Barbara Jean Serpa, Bonnie Sue Shipman, Dorothy Joanne Slate, Loretta Joyce Soares, Stanley Marks Souza, Patricia Faye Strickland, La Val Marie Swanson, Evelyn Tariman, Eva Tatarakis, Darlene Eloise Tell, Stanley Eugene Thiessen, Phyllis Ann Turner, James Philip Vargas, Betty Jean Vickroy, Howell Virgo Jr., Larnel Carson Waterson, Eunice Marlene Wickstrom, Carl Adam Zentner, and Maniard Eugene Zentner.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Ben Renz, teacher, Estelle Rasmussen, adult; the following pupils of Ripon School: Mary Barela, Barbara Bledsoe, Karla Boaz, Janet Brooks, Robert Cabral, Wilma Carroll, Eileen Christensen, William Colbert, Leroy Cole, David Eckhoff, Janice Fairbanks, Alvin Fredericksen, Betty Funari, Raymond George, Darlene Hagenow, Jon Holmquist, Ray Hyde, Raymond Johnson, David Lawton, Marie Leon, Shirley Medford, William Nyquist, Esther Picanso, Sharon Porteous, Rob Roy Rackley, Freda Rasmussen, Margie Reeves, Charles Saarloos, William Scharmann, Donald Sikkema, Joan Sinarle, Donald Silva, Leona Smith, Jerry Watson, Richard Whitmore, Paul Whittle, Angie Ynzunza, and David Zellmer; and Arnold De, Weerd, Tanya Hansen, Merilyn Hansen, and Frank Vieira of the San Joaquin School.

On request of Mr Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Bernard R. Carman and Gerald Christensen of San Diego.

On request of Messrs. Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mary Devett and Bob Devett of Long Beach.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Sister Agnes Joseph and Sister Loretta Joan, teachers, Mrs. A. D. Atterbury, and Mrs. F. Tredway,

adults; and the following pupils of the Notre Dame High School of Marysville: Barbara Forness, Jean Smith, Mary Ann Staudenraus, Ellen Street, Lucy Tores, Jeanette Tredway, Mary Ann Waite, Virginia Atterbury, Beverly Gouge, Erma Sutfin, Irene Creps, Donna Edwards, Georgia Heisinger, and Barbara Kolos.

ADJOURNMENT

At 12.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 14, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 14, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

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

Quorum present.

PRAYER

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

Almighty and Eternal God, Father of all nations, Creator and Preserver of mankind, we assemble again in Thy holy sight. Within these hallowed precincts, we seek Thy presence and Thy guidance. As we look upon the Flag, remind us of our duty to God and our Country. Help us lift our labor out of the realm of the ordinary, so that we may see opportunities for service in that which otherwise would be drab routine. Grant us Thy presence throughout this day that we may live without strain, face our problems without fear, meet our temptations without dishonor, bear our burdens without complaint.

"O Lord, who knowest every need of mine,
Help me to bear each cross and not repine,
Grant me fresh courage every day,
Help me to do my work always
Without complaint."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATIONS

By the Chief Clerk:

A communication from E. J. Overley, Assistant to the Secretary, Department of Agriculture, Washington, D. C., relative to having received a copy of Assembly Joint Resolution No. 24 pertaining to assistance in continuing availability of trained manpower in agricultural aviation, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Claire V. Goodwin, President, Board of Port Commissioners, Port of Oakland, acknowledging receipt of a copy of House Resolution No. 127, was received, and ordered filed with the Secretary of State.

REQUEST FOR UNANIMOUS CONSENT TO CORRECT JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the record whereby Assembly Bill No. 872 was reported back to the Assembly by the Committee on Education, as printed on page 4130 of the Assembly Journal for Thursday, May 10th, be corrected to show Senate Bill No. 872 as being the proper measure; and that the amendments adopted to Assembly Bill No. 872, as printed on page 4184 of the Assembly Journal for Friday, May 11th, be shown as properly being adopted to Senate Bill No. 872.

Assembly Bill No. 872 ordered re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 33—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice;

Assembly Bill No. 263—An act to amend Sections 3208, 4452, 4453, 4458, 4460, 4600, 4702, and 5952 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 522—An act to amend Section 1730 of, and to add Section 1730.5 to, the Insurance Code, relating to insurance and bail licensees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to benefits payable by retirement systems for county employees;

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees;

Assembly Bill No. 639—An act to repeal Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 641—An act to amend Sections 31460 and 31468 of, and to add Section 31469.5 to, the Government Code, relating to county employees retirement systems, and providing for the inclusion therein of officers and employees of certain organizations of public employees;

Assembly Bill No. 657—An act to amend Section 10 2 of the Parking Law of 1949 and Section 32951 of the Streets and Highways Code, relating to off-street parking facilities;

Assembly Bill No. 742—An act to amend Sections 31679 and 31681 of the Government Code, relating to retirement systems;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 839—An act to amend Section 37904 of the Government Code, relating to city public works contracts;

Assembly Bill No. 943—An act to amend Sections 26075 and 26076 of the Water Code, relating to assessments by irrigation districts;

Assembly Bill No. 1198—An act to amend Section 803 5 of the Agricultural Code, relating to nectarine and pear standards, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1256—An act to amend Sections 20024, 20025.2, 20105, 20107, 20165, 20208, 20303, 20304, 20393, 20523, 20524, 20602, 20602 5, 20602 7, 20603, 20603.1, 20603.2, 20606, 20607, 20607 5, 20611, 20652, 20654, 20654 6, 20654 9, 20655, 20656, 20754, 20862, 20863, 20890, 20921 1, 20922, 21023, 21028, 21204, 21250, 21300, 21331, 21360, 21361, 21362, 21453 of the Government Code, to amend and renumber Section 21262 thereof (as added by Chapter 1498 of the Statutes of 1949), to repeal Sections 20654 7 and 21030 thereof, and to add Sections 20609 2, 20655 1, 21257 2, and 21365.1 thereto, relating to the State Employees' Retirement System;

Assembly Bill No. 1259—An act to add Section 20338 to the Government Code, relating to the State Employees' Retirement System in respect to state college extension service teachers;

Assembly Bill No. 1263—An act to add Section 20130.2 to the Government Code and to amend Sections 20037, 20230, 20563, 20564, 20565, and 20867 thereof, relating to the State Employees' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1289—An act to amend Section 20800 of the Business and Professions Code, relating to petroleum;

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1691—An act to add Section 6357.2 to, and to amend Section 19437 of, the Education Code, relating to school district facilities;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1736—An act to amend Section 21120 of the Water Code, relating to irrigation districts;

Assembly Bill No. 1810—An act to amend Section 29 of the "Community Redevelopment Act" and Section 33265 of the Health and Safety Code, relating to employees benefits;

Assembly Bill No. 1861—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions of veterans' associations for purposes of public buildings, parks, and centers therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1862—An act to add Section 18616 to the Education Code, relating to leases of school district property to veterans' associations;

Assembly Bill No. 1916—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2052—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2314—An act to amend Section 1501 of the Education Code, relating to contracts for service by county superintendent of schools;

Assembly Bill No. 2499—An act to amend Section 1503 of, and to add Section 1599.1 to, the Education Code, relating to the Public School System;

Assembly Bill No. 2506—An act to amend Section 29191 of the Government Code, relating to district budgets;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2669—An act to amend Section 17502 of the Business and Professions Code, relating to false advertising offenses and exceptions therefrom;

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301.5, 3301.6, 3301.7, 3301.8, 6403.5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations;

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on United States Government military or naval reservations, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds;

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds,

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of May, 1951, at 10 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Concurrent Resolution No. 46—Relative to the centennial of the arrival of Notre Dame nuns of California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 223

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

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 984
Assembly Bill No. 985
Assembly Bill No. 1152
Assembly Bill No. 1360
Assembly Bill No. 1490
Assembly Bill No. 2513
Assembly Bill No. 2818
Assembly Bill No. 3070
Assembly Bill No. 3199

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 23
Assembly Bill No. 1877
Assembly Bill No. 3391

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No. 51

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 741
Assembly Bill No. 784
Assembly Bill No. 1235
Assembly Bill No. 1311
Assembly Bill No. 1526
Assembly Bill No. 1561
Assembly Bill No. 1577
Assembly Bill No. 2695
Assembly Bill No. 2929

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3270

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 410

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1985

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Joint Resolution No. 32
Assembly Concurrent Resolution No. 51
Assembly Concurrent Resolution No. 52

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No. 550
Assembly Bill No. 601
Assembly Bill No 763
Assembly Bill No. 1023
Assembly Bill No 1667
Assembly Bill No. 1682
Assembly Bill No. 1719
Assembly Bill No. 1734
Assembly Bill No. 1735
Assembly Bill No. 1904
Assembly Bill No. 1928
Assembly Bill No. 2039
Assembly Bill No. 2122
Assembly Bill No. 2125
Assembly Bill No. 2528

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

Above bills ordered enrolled.

On May 21, 1951, Assembly Bill No. 550 was recalled from enrollment. (See page 4520.)

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 704
Senate Bill No. 706
Senate Bill No. 707
Senate Bill No. 708
Senate Bill No. 1012
Senate Bill No. 1013
Senate Bill No 1807

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

SENATE CHAMBER, SACRAMENTO, May 11, 1951

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

Assembly Bill No 696
Assembly Bill No. 755
Assembly Bill No. 909
Assembly Bill No. 2909

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 11, 1951

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

Senate Bill No. 671
Senate Bill No. 1065
Senate Bill No. 1626

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1065—An act to amend Section 28113 of the Government Code and Section 413 of the Education Code, relating to compensation for public service in counties of the thirteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1626—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Referred to Committee on Finance and Insurance.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1951

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

Senate Joint Resolution No. 31
Senate Joint Resolution No. 33

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 31—Relating to the National Forest Highway System in California.

Referred to Committee on Rules.

Senate Joint Resolution No. 33—Relative to foot and mouth disease.

Referred to Committee on Rules:

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2487—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Bill read second time, and ordered engrossed.

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

Bill read second time, and ordered engrossed.

Assembly Bill No. 1998—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "such".

Amendment No. 2

On page 1, line 12, of the printed bill, after "conviction", insert "other than under Section 501 of this code".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "unless otherwise hereinafter provided and".

Amendment No. 4

On page 1, line 15, of the printed bill, following "Section 292", insert "or recommends no suspension".

Amendment No. 5

On page 1, line 21, of the printed bill, strike out "such".

Amendment No. 6

On page 1, line 22, of the printed bill, following "conviction", insert "of any offense involving driving a motor vehicle while under the influence of intoxicating liquor."

Amendment No. 7

On page 2, line 9, of the printed bill, strike out "such"

Amendment No. 8

On page 2, line 9, of the printed bill, following "conviction", insert "of any offense involving driving a motor vehicle while under the influence of intoxicating liquor"

Amendment No. 9

On page 2 of the printed bill, at the end of line 17, insert "by it".

Amendment No. 10

On page 2, line 30, of the printed bill, after "shall", insert ", unless the court recommends to the department that there be no such license suspension,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural water-well boring rig.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out the first "Agricultural".

Amendment No. 2

On page 1, lines 3 and 4, of the printed bill, strike out "Agricultural".

Amendment No. 3

On page 1, line 5, of the printed bill, after "water-wells", insert "and which is self-propelled".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3239—An act to amend Section 31526 of the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 15, 16, and 17, of the printed bill, strike out "or to a position the compensation of which is fixed at a rate by the day or hour,".

Amendment No. 2

On page 1 of the printed bill, after the comma in line 19, insert "or to a position the compensation of which is fixed at a rate by the day or hour,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to public works and improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "5190, 5194, 5195,".

Amendment No. 2

Strike out line 4 of the title of said bill, and insert "8650 of, and to add Section 5302.5 to,".

Amendment No. 3

In line 5 of the title of said bill, strike out "of,".

Amendment No. 4

On page 2 of said bill, strike out lines 44 to 51, inclusive.

Amendment No. 5

On page 3 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 6

On page 3, line 10, of said bill, strike out "SEC. 10", and insert "SEC. 6"

Amendment No. 7

On page 3, line 18, of said bill, strike out "SEC 11", and insert "SEC. 7".

Amendment No. 8

On page 3, line 32, of said bill, strike out "SEC. 12", and insert "SEC. 8".

Amendment No. 9

On page 3, line 40, of said bill, strike out "SEC. 13", and insert "SEC. 9".

Amendment No. 10

On page 4, line 1, of said bill, strike out "SEC. 14", and insert "SEC. 10".

Amendment No. 11

On page 4, line 35, of said bill, strike out "SEC. 15", and insert "SEC. 11".

Amendment No. 12

On page 4, line 47, of said bill, strike out "SEC 16", and insert "SEC. 12".

Amendment No. 13

On page 5, line 1, of said bill, strike out "SEC. 17", and insert "SEC. 13".

Amendment No. 14

On page 5, line 16, of said bill, strike out "SEC. 18", and insert "SEC. 14".

Amendment No. 15

On page 5, line 36, of said bill, strike out "SEC. 19", and insert "SEC. 15".

Amendment No. 16

On page 5, line 48, of said bill, strike out "SEC. 20", and insert "SEC. 16".

Amendment No. 17

On page 6, line 9, of said bill, strike out "SEC. 20.5", and insert "SEC. 17".

Amendment No. 18

On page 6, line 18, of said bill, strike out "SEC 21", and insert "SEC. 18".

Amendment No. 19

On page 6, line 32, of said bill, strike out "SEC 22", and insert "SEC. 19".

Amendment No. 20

On page 6, line 46, of said bill, strike out "SEC. 23", and insert "SEC. 20".

Amendment No. 21

On page 7, line 3, of said bill, strike out "SEC. 24", and insert "SEC. 21".

Amendment No. 22

On page 7, line 8, of said bill, strike out "SEC. 25", and insert "SEC. 22".

Amendment No. 23

On page 7, line 19, of said bill, strike out "SEC 26", and insert "SEC. 23".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 529—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 8, of the printed bill, after "renumber", strike out "of", and insert "or".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 30, 1951, after "article", insert "or Article 2 of Chapter 2 of this part".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 27, 1951, after the period, insert "For purposes of this chapter habitual use of alcohol or narcotics shall not be deemed a permanent disability."

Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert

"The definitions of terms as provided for in this section shall not be liberally construed as if such terms were used in contracts, but the definitions of such terms shall be strictly construed in order to carry out the purposes of this act with the limited appropriation therefor."

Amendment No. 3

On page 3, line 19, of said bill, strike out "Each", and insert

"When state and federal funds are available for this program each".

Amendment No. 4

On page 4 of said bill, between lines 47 and 48, insert

"Absence from the State of recipients of aid under this chapter who have remained outside the State for a continuous period of one year or longer shall be prima facie evidence of the intent of the recipient to have changed his residence to a place outside this State The county granting the aid shall make inquiry from such persons as to their intent to remain residents of California or to become residents of another state, and shall redetermine the residence of such persons for purposes of this chapter In any case where the inquiry made under this section establishes that the recipient is no longer a resident of this State, his aid shall be terminated immediately."

Amendment No. 5

On page 5 of said bill, strike out lines 37 to 40, inclusive

Amendment No. 6

On page 6, lines 9 and 10, of said bill, strike out "one thousand two hundred dollars ($1,200)", and insert "six hundred dollars ($600)".

Amendment No. 7

On page 6, lines 14 and 15, of said bill, strike out "three thousand five hundred dollars ($3,500)", and insert "three thousand dollars ($3,000)".

Amendment No. 8

On page 6, lines 21 and 22, of said bill, strike out "three thousand five hundred dollars ($3,500)", and insert "three thousand dollars ($3,000)".

Amendment No. 9

On page 12 of said bill, strike out lines 26 to 52, inclusive.

Amendment No. 10

On page 13 of said bill, strike out lines 1 and 2.

Amendment No. 11

On page 14, line 6, of said bill, before the second "the", insert "and for the support of the Department of Social Welfare".

Amendment No. 12

On page 14, line 8, of said bill, before the period, insert ", of which not more than one hundred thousand dollars ($100,000) shall be expended for the support of the Department of Social Welfare".

Amendment No. 13

On page 14, line 9, of said bill, before "ninety", insert "first of the month following the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601 7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, line 33, of the printed bill, as amended in the Assembly on April 27, 1951, strike out "seven million", and insert "six million twenty-seven thousand", and strike out "($7,000,000)", and insert "($6,027,000)".

Amendment No. 2

On page 4, line 16, of said bill, strike out "annually", and after "Legislature" in the same line, insert "at the beginning of the 1952 Budget Session its estimate of the amount necessary for the continuance of this program to its terminal date June 30, 1953 and".

Amendment No. 3

On page 2, line 31, of said bill, strike out "Director of Industrial Relations"; and in line 32, strike out "or the".

Amendment No. 4

On page 3, line 20, of said bill, after "basis", insert "or if either parent is a worker in industry essential to the mobilization effort as set forth in subdivision (f) of Section 19601.5".

Amendment No. 5

On page 2 of said bill, between lines 37 and 38, insert

"The need for child care of a parent and child who come within (a) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (b) to (g), inclusive, of this section

The need for child care of a parent, or parents, and child who come within (b) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (c) to (g) of this section"

Amendment No. 6

On page 3, line 14, of said bill, after "earnings", insert "of any member of the child's immediate family".

Amendment No. 7

On page 3, line 16, of said bill, after "week", insert "if the employer of such person certifies to said governing board that the work week of such person is five days or more".

Amendment No. 8

On page 4, line 41, of said bill, after "need", insert "of which not to exceed forty-four thousand dollars ($44,000) may be expended by the Department of Education for making apportionments and for supervision of child care centers".

Amendment No. 9

On page 4, line 4, of said bill, strike out "Each person employed by a state college", and insert

"Any employee of a school district heretofore excluded from membership in the State Employees' Retirement System or a district retirement system by the provisions of this section as it has heretofore read, shall become a member of such system on the effective date of this amendment without credit for previous service.

Each person employed by a state college".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2827—An act to amend Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28141", and insert "28140".

Amendment No. 2

In line 3 of the title of said bill, strike out "forty-first", and insert "fortieth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28141", and insert "28140"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 17, inclusive, and insert

"28140 In a county of the fortieth class the annual salary of each supervisor is [one thousand two hundred dollars ($1,200)] *two thousand four hundred dollars ($2,400)*. All other officers shall receive as compensation for the services required of them by law or by virtue of their offices the salaries and fees fixed pursuant to the charter of the county

Grand jurors and trial jurors in the superior court shall receive three dollars ($3) a day for each day's attendance and mileage at the rate of fifteen cents ($0.15) a mile for each mile necessarily traveled in attending court, in going only. In criminal cases the fees and mileage of the trial jurors in the superior court shall be paid by the treasurer out of the general fund of the county upon warrants drawn by the auditor on the written order of the judge of the court in which the jurors were in attendance, and the treasurer shall pay the warrants

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "three thousand six hundred dollars ($3,600)", and insert "four thousand two hundred dollars ($4,200)".

Amendment No. 2

On page 1 of said bill, after line 22, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2448—An act to repeal Sections 5536 and 5537 of, and to add Sections 5503, 5536, 5537, and 5542 to, the Business and Professions Code, relating to the practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 5542", and insert "5542, 5543, and 5544".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "one thousand dollars ($1,000)", and insert "five hundred dollars ($500)".

Amendment No. 3

On page 1, line 11, of said bill, strike out "one", and insert "six".

Amendment No. 4

On page 1, line 12, of said bill, strike out "year", and insert "month".

Amendment No. 5

On page 2, line 9, of said bill, strike out the colon; and strike out lines 10 to 15, inclusive, and insert "from furnishing services to other persons for plans, drawings, specifications, instruments of service, or other data for:".

Amendment No. 6

On page 2 of said bill, strike out line 17, and insert "more than two stories".

Amendment No. 7

On page 2, line 23, of said bill, strike out "masonry".

Amendment No. 8

On page 2, line 25, of said bill, after "to", insert ", or at the time of,".

Amendment No. 9

On page 2 of said bill, strike out lines 31 to 34, inclusive.

Amendment No. 10

On page 2 of said bill, after line 40, insert

"SEC. 6. Section 5543 is added to said code, to read:

5543. This chapter does not prevent any person who is an employee of an architect from acting under his employer's instructions, control and supervision in the practice of architecture.

SEC. 7. Section 5544 is added to said code, to read:

5544. A civil engineer who holds a certificate to practice civil engineering in this State under the provisions of Chapter 7 of Division 3 or of any other act to regulate the practice of civil engineering, insofar as he practices civil engineering in its various branches, is exempt from the provisions of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, of Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "In addition, each".

Amendment No. 2

On page 2 of said bill, strike out lines 26 and 27.

Amendment No. 3

On page 4 of said bill, strike out lines 13 to 17, inclusive, and insert

"(b) All persons who have practiced physical therapy for at least three years, including at least one year in this State, within the last five years prior to the effective date of this act, or who have graduated from a school or department of physical therapy within three years prior to December 1, 1951, and have resided in this State for at least one year and commenced the practice of physical therapy in this State prior to December 1, 1951; provided, however, that for the purposes of this section the mere administration of massage, external baths and normal exercise shall not be deemed to constitute the practice of physical therapy."

Amendment No. 4

On page 4 of said bill, strike out lines 22 to 24, inclusive, and insert "school, college or department of physical therapy approved by the board. Such school, college or department of physical therapy shall meet all requirements of Article 4 of this chapter."

Amendment No. 5

On page 4, line 29, of said bill, after the period, insert "The examining committee in cases of doubt, may require that applications for a license without examination must be accompanied by a verified statement of a physician and surgeon, licensed under Chapter 5 of this code, stating that to his knowledge the applicant is qualified to practice and has practiced physical therapy as defined in Section 2660, and has practiced in this State for at least the minimum period of time required by Section 2668."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide for the construction of grade separations.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, lines 9 and 10, of the printed measure, strike out "five hundred million dollars ($500,000,000)", and insert "two hundred fifty million dollars ($250,000,000)".

Amendment read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the Armed Forces and providing for a tax on cigarettes and tobacco products to provide funds therefor.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In lines 5 to 7, inclusive, of the title of the printed measure, strike out "and providing for a tax on cigarettes and tobacco products to provide funds therefor".

Amendment No. 2

On page 2 of said measure, strike out lines 15 to 20, inclusive.

Amendment No. 3

On page 2 of said measure, strike out lines 15 to 20, inclusive, and insert

"Bonds of the State of California shall be prepared, issued, and sold in the amount of _____ dollars ($_____), in such denominations, to be numbered, to bear such dates, and to bear such rate of interest as shall be determined by the Legislature.

The proceeds of such bonds shall be used:

(a) To provide a fund to be used in carrying out the provisions of this section.

(b) To pay the expenses that may be incurred in preparing, advertising, issuing and selling the bonds, and in administering and directing the expenditure of the moneys realized from the sale of such bonds.

The issuance, signing, countersigning, endorsing, and selling of the bonds herein provided for, and the interest coupons thereon, the place and method of payment of principal and interest thereon, the procedure for initiating, advertising, and holding sales thereof, the performance by the several state boards and state officers of their respective duties in connection therewith, and all other provisions, terms, and conditions relating to the bonds shall be as provided by the Legislature.

The Legislature shall pass all laws, general or special, necessary or convenient to carry into effect the provisions of this section."

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1984—An act to provide for the Public School System and the raising of revenue therefor, and for that purpose to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, to add Sections 6711.5 and 6905 to said code, and to add Part 12, comprising Sections 27000 to 28179, inclusive, to the

Revenue and Taxation Code, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 8 of the title of the printed bill, strike out "Sections 6711.5 and", and insert "Section".

Amendment No. 2

Strike out lines 10 and 11 of the title of said bill, and insert "the Revenue and Taxation Code."

Amendment No. 3

On page 5, lines 18 and 19, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 4

On page 6 of said bill, strike out lines 17 and 18, and insert "determining the total current expenses of a district for transportation."

Amendment No. 5

On page 6 of said bill, strike out lines 21 and 22, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7037."

Amendment No. 6

On page 6 of said bill, strike out line 25, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Amendment No. 7

On page 11 of said bill, between lines 7 and 8, insert

"7047.5. The amount by which the foundation program computed under this article for an elementary school district having an average daily attendance of less than 100 exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by one hundred eighty-five dollars ($185) shall, beginning with the Fiscal Year 1953-1954, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any elementary school district in which any one or more of the following conditions obtain:

(a) If not less than five pupils residing in the district and attending grades kindergarten to eight, inclusive, would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If not less than 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassible for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request."

Amendment No. 8

On page 11, line 10, of said bill, strike out "325", and insert "301".

Amendment No. 9

On page 11, line 17, of said bill, strike out "hundred twenty-fourth", and insert hundredth".

Amendment No. 10

On page 11, line 21, of said bill, strike out "325", and insert "301".

Amendment No. 11

On page 11, line 27, of said bill, strike out "dollars ($200)", and insert "ten dollars ($210)".

Amendment No. 12

On page 11, line 37, of said bill, strike out "1951", and insert "1952".

Amendment No. 13

On page 11, lines 42 and 43, of said bill, strike out "325 or more by two hundred dollars ($200)", and insert "301 or more by two hundred ten dollars ($210)".

Amendment No. 14

On page 11 of said bill, between lines 43 and 44, insert

"7050.5 The amount by which the foundation program computed under Section 7048 or Section 7049 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1956, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any high school district in which any one or more of the following conditions obtain

(a) If as many as five pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(c) If as many as 40 pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request."

Amendment No. 15

On page 12, line 6, of said bill, strike out "Ninety-seven dollars ($97)", and insert "One hundred dollars ($100)".

Amendment No. 16

On page 12, lines 37 and 38, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 17

On page 13, lines 6 and 7, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 18

On page 20, lines 35 and 36, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 19

On page 21, lines 31 and 32, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 20

On page 24 of said bill, strike out lines 40 to 52, inclusive, and insert

"SEC 7. Section 6905 is added to said code, to read:

6905. In computing the average daily attendance of any district, school, or class for the Fiscal Year 1951-1952 and thereafter under any section which requires the divisor used to be the number of days school was actually taught in the regular day schools of the district during the preceding fiscal year, and the number of days actually taught in the regular day schools of the district was 175 or more, the divisor shall be 175."

Amendment No. 21

On page 25, line 1, of said bill, strike out "9", and insert "8".

Amendment No. 22

On page 25, line 2, of said bill, strike out "10", and insert "9".

Amendment No. 23

On page 31, line 46, of said bill, strike out "11", and insert "10".

Amendment No. 24

On page 32 of said bill, strike out lines 7 to 19, inclusive, and insert

"SEC. 11. If this act requires the performance of any duty between July 1, 1951, and the effective date of this act, such duty shall be performed within 10 days after such effective date."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2850—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 110 of", and insert "add Section 110.8 to".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "110 of the Revenue and Taxation Code is amended", and insert "110.8 is added to the Revenue and Taxation Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 9, inclusive, and insert

"110.8. In determining the "value," "full cash value," or "cash value" of a building or improvement specifically designed for non-profit purposes and not susceptible to conversion to ordinary residential, commercial or industrial uses without substantial alteration or reconstruction, exclusively owned and operated for such non-profit purposes by a community chest, fund, foundation or non-profit corporation, and not used or operated by the owner or other person for profit, its value in use, if any, to the owner shall not be considered but only the price which a buyer, willing but not compelled to buy, would pay for such building or improvement to a seller, willing but not compelled to sell, considering all the uses to which such building or improvement may be adapted.

In determining the price which such a buyer would pay, full effect shall be given to the following:

(a) Ability or inability to operate such building or improvement at a profit for the purposes for which it was designed, profit being defined to mean an excess of earned income, excluding gifts, donations and endowment income, over all expenses, including reasonable amortization of investment in such building or improvement.

(b) Practical, legal and other restrictions upon conversion to ordinary residential, commercial or industrial use, including but not limited to, the following: zoning and other legal restrictions; lack of access to public highways and other facilities; suitability of location for such use; and features of physical construction, design or fixed equipment installed therein.

(c) Cost of conversion to ordinary residential, commercial or industrial use.

(d) All other elements which might affect the price which a buyer would pay under the circumstances for such building or improvement.

In determining the "value," "full cash value," or "cash value" of any such building or improvement, the assessor shall take into account, except as in this section provided, the existence of any custom or common method, if any, in arriving at the full cash value of other buildings and improvements.

SEC. 2. The Legislature hereby declares that the addition by this act of Section 110.8 to the Revenue and Taxation Code is not a substantive change in the law but merely declaratory of existing law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2531—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 548 to the Streets and Highways Code, relating to the State Highway System", and insert "provide for the construction of a public highway necessary to the national defense".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. The Department of Public Works, through the Division of Highways is authorized to construct as a state highway, a road from State Highway Route 29 at a point about two miles north of Doyle, to the Sierra Ordnance Depot, traversing the westerly side of the Western Pacific Railroad tracks. The highway, when constructed shall not be a part of the State Highway System, but may be maintained by the Department of Public Works, through the Division of Highways. No money shall be expended by the Department of Public Works for the construction or maintenance of such highway except that received from the Federal Government or appropriated by the Legislature especially for that purpose."

Amendment No. 3

On page 1, lines 17 and 18, of said bill, strike out "make this proposed road a portion of the State Highway System", and insert "give the Department of Public Works the power and authority to construct and maintain such highway when and if funds are made available for the construction and maintenance".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 441—An act to add Chapter 9.5, comprising Sections 27179 to 27179.4, inclusive, to Part 3, Division 16, of the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 454—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read second time, and ordered to third reading.

Senate Bill No. 988—An act to amend Sections 6231 and 6264 of the Public Utilities Code, relating to local franchises for public utilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 333—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Bill read second time, and ordered to third reading.

Senate Bill No. 382—An act to amend Section 53732 of the Government Code, relating to capital outlay funds of local agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 915—An act to amend Section 43068 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1683—An act to amend Sections 38440, 38451, 38452, 38460, and 38461, and to repeal Sections 38453 to 38459, inclusive, of the Government Code, relating to discontinuance of municipal parks.

Bill read second time, and ordered to third reading.

Senate Bill No. 528—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 529—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 610—An act creating the Interim San Francisco Bay Ports Commission, describing its powers and duties, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 108—An act to add Section 718 to the Vehicle Code, relating to penalties for overloading vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 30, 1951, strike out lines 6 and 7.

Amendment No. 2

On page 2, line 8, of said bill, strike out "1,001", and insert "1,000".

Amendment No. 3

On page 3, line 4, of said bill, after "suspended", insert "upon a second or subsequent conviction of a violation of any weight limitation provision of this chapter or of a violation of Section 731 of this code for requiring operation of a vehicle upon a highway in violation of any weight limitation provision of this chapter".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on May 7, 1951, after the period following "unloaded", insert "*Trucks and trailers transporting logs or poles shall be equipped with bunks and chock blocks as herein specified. (a) Chock blocks shall extend to not less than eight inches (8") above the top edge of the bunk except when hauling poles less than twenty-five inches (25") in diameter at the chock.*

(b) Chock block chains shall be not less than one-half inch (½") high test steel chain.

(c) No portion of chock blocks shall extend beyond the ends of the bunks to a point where tilting occurs.

(d) Bunks shall have reasonably sharp top edges to minimize load end shift

(e) Bunks and chock blocks shall be maintained to operate freely without binding.

(f) Bunks shall not be bent down in excess of one inch (1") at either end."

Amendment No. 2

On page 2 of said bill, strike out lines 9 to 14, inclusive, and insert "*bunk, firmly attached to said bunk.*"

Amendment No. 3

On page 3 of said bill, strike out lines 19 to 32, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 7, 1951, strike out lines 13 to 16, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 914—An act to amend Section 37101 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on April 19, 1951, after "tax", insert "at the same rate".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, after the second "or", insert "may use such busses to transport graduating twelfth grade pupils, teachers, or other employees employed by the district".

Amendment No. 2

On page 1, line 9, of said bill, strike out "or nations".

Amendment No. 3

On page 1, line 10, of said bill, after the period, insert "In computing the average daily attendance of a school district, there shall be excluded the attendance of graduating twelfth grade pupils while being transported on educational excursions."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 509—An act to add Section 18236 to the Education Code, relating to use of school buildings declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on April 9, 1951, strike out "with"; and on page 1, line 9, strike out "the approval of the Department of Education,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1605—An act to add Section 14745 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 30, 1951, after "any", insert "unified".

Amendment No. 2

On page 2, line 2, of said bill, strike out "made".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Gubser:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Respectfully submitted.

CHARLES S. GUBSER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Gubser:

An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3428: By Mr. Gubser—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 416 FROM COMMITTEE WAIVED

Mr. Condon waived his notice of motion that Senate Bill No. 416 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be placed upon the file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 449—An act to amend Section 3079.5 of the Welfare and Institutions Code, relating to public assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 449?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "one hundred fifty (150)", and insert "two hundred fifty (250)".

Amendment No. 2

On page 1, line 9, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 1, line 15, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 18 and 19.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 449 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61

NOES—None.

Assembly Bill No. 449 ordered enrolled.

Assembly Bill No. 567—An act to add Sections 18811 and 26132.1 to the Revenue and Taxation Code, relating to state taxation and providing for the giving of notice to state agencies prior to presentation of claims to the State Controller.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 567?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on April 16, 1951, after "service", insert "is authorized".

Amendment No. 2

On page 2, line 18, of said bill, as amended, after "service", insert "is authorized"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 567 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 567 ordered enrolled.

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 910?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "1921," insert "relating to the powers of public utility districts and".

Amendment No. 2

In line 3 of the title of said bill, as amended, after "districts", insert "by public utility districts".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 910 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Assembly Bill No. 910 ordered enrolled.

Assembly Bill No. 3279—An act to add Section 7209 to the Health and Safety Code, relating to bodies of deceased persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3279?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 7209 to the Health and Safety Code, relat-", and insert "amend Section 207 of the Welfare and Institutions Code, relat-".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 207 of the Welfare and Institutions Code is amended to read:

207. The board may provide for the burial or cremation of the indigent dead *However, nothing in this code shall prohibit the authorities in any city, city and county, or county, responsible for the handling of the indigent dead, in which is located a duly recognized and approved college of mortuary science from entering into a contract with such college of mortuary science to dispose of the indigent dead occurring in that city, city and county, or county, provided the contractee is licensed as a funeral director by the State Board of Funeral Directors and Embalmers and provided that the contractee shall not receive any compensation other than the contract price. Such contract may permit embalming, restorative art, and the holding of funeral services, as well as interment of such bodies.*

Bodies of the unclaimed dead shall be made available to the State Department of Public Health in accordance with the provisions of Sections 7200 to 7208 of the Health and Safety Code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 10, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3279 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 3279 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 664

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendment to Assembly Bill No. 664, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 664?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 29, 1951, after line 19, insert

"(c) The provisions of this division of the code shall not apply to the duly authorized representatives of any public agency while actually engaged in performing any of the work described in subdivision (b) hereof but shall apply to such persons when traveling to and from such work."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 664 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 664 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2513—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Parker, Porter, Shaw, Sherwin, Stanley, Tomlinson, Waters, and Mr. Speaker—52.

NOES—Beck, Burkhalter, Conrad, Dunn, Evans, Hahn, Henderson, Klocksiem, Levering, McCarthy, Morris, Rosenthal, Smith, and Thomas—14.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2665

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2665, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2665

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 3, 1951, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendment No. 2

On page 1, line 11, of said bill, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendments read.

Roll Call Demanded

Messrs. Dunn, Gaffney, and McFall demanded a roll call.

The roll was called, and the amendments offered by Mr. Dunn to Assembly Bill No. 2665 adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Lincoln, Maloney, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Stanley, and Thomas—37.

NOES—Babbage, Belotti, Burke, Chapel, Connolly, Conrad, Dickey, Erwin, Evans, Fleury, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Moss, Porter, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—36.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Stanley asked for unanimous consent that his vote be changed upon the roll call on the amendments offered by Mr. Dunn to Assembly Bill No. 2665, and that he be recorded as voting "No", instead of "Aye".

Mr. Beck withheld unanimous consent.

Consideration of Further Amendments by Unanimous Consent

By unanimous consent, it was agreed that consideration of further amendments to Assembly Bill No. 2665 will be taken up, at this time, prior to sending the bill to be reprinted.

Consideration of Further Amendments

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "not less than two working days".

Amendment No. 2

On page 1 of said bill, strike out lines 19 to 21, inclusive, and insert "time of absence."

Amendments read.

Roll Call Demanded

Messrs. Condon, Hagen, and McFall demanded a roll call.

The roll was called, and the amendments offered by Mr. Condon to Assembly Bill No. 2665 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Maloney, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—26

NOES—Babbage, Belotti, Brady, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Geddes, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—40.

Consideration of Further Amendments

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "not less than two working days prior to such absence", and insert "and furnishes evidence of having in fact exercised his franchise by voting".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—George D Collins, Davis, Dills, Doyle, Dunn, Elliott, Hagen, Kilpatrick, Maloney, McFall, McMillan, Munnell, Niehouse, and Parker—14.

NOES—Babbage, Brady, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McGee, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—48.

Notice of Motion to Reconsider Amendments Offered by Mr. Dunn to Assembly Bill No. 2665

Mr. Fleury gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Dunn to Assembly Bill No. 2665 were this day adopted.

Motion to Take Up Notice of Motion to Reconsider, at This Time

Mr. Grunsky moved that the notice of motion to reconsider, given by Mr. Fleury, be taken up, at this time.

Mr. Brady seconded the motion.

Motion carried.

The question being on the motion to reconsider the vote whereby the amendments offered by Mr. Dunn to Assembly Bill No. 2665 were adopted.

The roll was called, and reconsideration granted by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—43

NOES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Lincoln, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, and Shaw—33.

Further Consideration of Amendments by Mr. Dunn

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 3, 1951, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendment No. 2

On page 1, line 11, of said bill, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendments read.

Point of Order

Mr. Brady arose to the following point of order: That the hour for the special order of business having arrived, the matter now under discussion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled that the point of order is not well taken because the House is engaged in debate, at this time.

The question being on the adoption of the amendments offered by Mr. Dunn to Assembly Bill No. 2665.

Roll Call Demanded

Messrs. Dunn, Cooke, and George D. Collins demanded a roll call.

The roll was called, and the amendments offered by Mr. Dunn to Assembly Bill No. 2665 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Lincoln, Lowrey, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—35

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, Morris, Potter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—42.

Notice of Motion to Reconsider the Amendments Offered by Mr. Condon to Assembly Bill No. 2665

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Condon to Assembly Bill No. 2665 were this day refused adoption.

Motion to Take Up Notice of Motion to Reconsider at This Time

Mr. Grunsky moved that the notice of motion to reconsider, given by Mr. Coats, be taken up, at this time.

Mr. Brady seconded the motion.

Motion carried.

The question being on the motion to reconsider the amendments offered by Mr. Condon to Assembly Bill No. 2665.

Demand for Previous Question

Messrs. Levering, Connolly, Hansen, Silliman, and Collier demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the amendments offered by Mr. Condon to Assembly Bill No. 2665.

The roll was called, and reconsideration refused by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, Maloney, McFall, McMillan, Moss, Munnell, Parker, Rumford, and Shaw—24.

NOES—Babbage, Belotti, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—47.

Notice of Motion to Reconsider the Amendments Offered by Mr. Dunn to Assembly Bill No. 2665

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby his amendments to Assembly Bill No. 2665 were this day refused adoption.

Point of Order

Mr. Silliman arose to the following point of order: That the notice of motion to reconsider, given by Mr. Dunn, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Chief Clerk Be Instructed to Get Opinion From Legislative Counsel

Mr. Dunn asked for, and was granted, unanimous consent that the Chief Clerk be instructed to obtain an opinion relative to the above ruling by the Speaker, and that it be ordered printed in the Journal.

The question being on the passage of Assembly Bill No. 2665.

Point of Order

Mr. Brady arose to the following point of order: That the hour for the special order of business has arrived, and the business now before the House is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because the House is in the midst of debate.

Notice of Motion to Reconsider Amendment Offered by Mr. Doyle to Assembly Bill No. 2665

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment offered by Mr. Doyle to Assembly Bill No. 2665 was this day refused adoption.

Ruling by Speaker

Speaker Sam L. Collins ruled the notice of motion to reconsider, given by Mr. Coats, a dilatory motion.

The question being on the passage of Assembly Bill No. 2665.

Demand for Previous Question

Messrs Levering, Collier, Lanterman, Hinckley, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2665.

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

AYES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

NOES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—36.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Doyle asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 2665, and that he be recorded as voting "No", instead of "Aye."

Notice of Motion to Reconsider Assembly Bill No. 2665

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2665 was this day passed.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon and Caucus today, upon recess, at the Hotel Sacramento.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 101
Assembly Bill No 2487

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1234

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 71

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1951

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

Senate Concurrent Resolution No. 71

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 71—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

RECESS

At 11.58 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes;

Assembly Bill No. 354—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to old age security, in respect to statements required concerning the granting of aid;

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 665—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations;

Assembly Bill No. 803—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals;

Assembly Bill No. 838—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 855—An act to amend Section 226 of the Civil Code, relating to adoption of children;

Assembly Bill No. 856—An act to amend Sections 224, 224p, 226a, and 226b of the Civil Code, and to add Section 227d thereto, relating to the adoption of children;

Assembly Bill No. 907—An act to amend Section 45 of the Public Utility District Act, relating to debts in excess of limits being void except in cases where district finances water works by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such water works to payment thereof.

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 945—An act to amend Section 954 of the Fish and Game Code, relating to nets;

Assembly Bill No. 1007—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle;

Assembly Bill No. 1008—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1176—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions;

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers;

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1542—An act to amend Section 1325 of the Penal Code, relating to immunity of witnesses from criminal prosecution;

Assembly Bill No. 1721—An act to amend Section 28112 of the Government Code, relating to compensation for public service in counties of the twelfth class;

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1855—An act to amend Section 678 of the Vehicle Code, relating to tire equipment;

Assembly Bill No. 1906—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 1938—An act to amend Section 1952 of the Code of Civil Procedure, relating to destruction of exhibits and depositions;

Assembly Bill No. 2310—An act to amend Section 14071 of the Education Code, relating to leaves of absence and vacations for noncertificated employees;

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Bill No. 2347—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700,

50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 of, and to add Sections 50014, 51332.1, 51332.2 to, and to repeal Section 50733 of, the Water Code, relating to reclamation districts;

Assembly Bill No. 2717—An act to amend Section 656 of the Agricultural Code, relating to purchase of oleomargarine for state institutions;

Assembly Bill No. 3068—An act to amend Section 28103 of the Government Code, relating to jurors' fees in counties of the third class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

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

Assembly Concurrent Resolution No. 58—Approving the charter of the City of Arcadia, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of April, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. McCollister:

House Resolution No. 144

Relative to requesting the Assembly Interim Committee On Interstate Cooperation to ascertain facts relating to motor vehicle registration

WHEREAS, The Assembly Interim Committee On Interstate Cooperation created by House Resolution No. 216, 1949 Regular Session, was directed to and did study and investigate facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis; and

WHEREAS, It appears that certain additional facts are necessary in order that the Assembly may intelligently legislate upon this complicated subject, particularly facts relating to the operation of the so-called "staggered system" of vehicle registration now in use in the States of Oregon, Missouri, and Wisconsin, and the problems which may have arisen in connection therewith; and

WHEREAS, A new committee on Interstate Cooperation has been created by House Resolution No. 105 of this 1951 General Session of the Legislature and it appears that the experience gained by the members thereof qualify this committee for the task of ascertaining such additional facts, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee On Interstate Cooperation, (created by House Resolution No. 105, 1951 General Session) be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis so as to permit, as far as possible, uniform distribution of the work of registration throughout each month of the calendar year and the establishment of 12 registration periods of 12 months duration, and particularly all facts relating to the systems of this nature now in use in the States of Oregon, Missouri, and Wisconsin, including but not limited to the operation, effect, administration, and enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation; and be it further

Resolved, That in carrying out the duties imposed upon it by this resolution the committee shall have all the powers and duties prescribed in said House Resolution No. 105 (1951 General Session) and particularly shall be authorized to make this study in conjunction with the Department of Motor Vehicles and to contract with the Department of Motor Vehicles for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes of this resolution; and be it further

Resolved, That in addition to any money heretofore made available the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available to the committee from the unallocated balance of the money previously made available to the Committee On Interstate Cooperation by House Resolution No. 216 of the 1949 Regular Session, for the expenses of the Assembly Committee on Interstate Cooperation (created by House Resolution No. 105, 1951 General Session) and its members, and for any charges, expenses, or claims it may incur under

this resolution, to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

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

By Mr. Brown:

House Resolution No. 145

Relating to studies of the feasibility of location of a state college at Modesto

WHEREAS, There is before the Legislature Assembly Bill 4 which proposes to establish a four-year state college in or near Modesto; and

WHEREAS, Senate Concurrent Resolution 40 has been introduced proposing to create a Joint Legislative Committee to Study the Building Program Problems at Presently Established State Colleges; and

WHEREAS, It would seem more efficient to begin dispersal of college locations throughout the State in certain cases, rather than only expanding facilities at the present 10 locations; and

WHEREAS, The location of a four-year state college at Modesto would be readily accessible to the increasing number of present and potential students in that area and relieve pressure on colleges in the Bay area and Central Valley; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Council of Educational Planning and Coordination, the Regents of the University of California, the Department of Education, and the joint legislative committee when created, are requested and authorized to cooperate in the formulation of a study or studies of the feasibility of location of a four-year state college at Modesto, and be it further

Resolved, That a report of these studies be made to the Legislature not later than 10 days after convening of the 1952 Session, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to each of the participants in the studies.

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

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Collier:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2008.5 of the Welfare and Institutions Code relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Respectfully submitted.

JOHN L. E. COLLIER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Collier:

An act to amend Section 2008.5 of the Welfare and Institutions Code relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Motion carried. Time, 2.03 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brown, Burke, Conrad, Davis, Dills, Gaffney, Grunsky, Gubser, Hinckley, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Stewart, Tomlinson and Waters—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr Hagen asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENT

Speaker Sam L Collins again announced that amendments which are not in order, are daily being placed across the desk by committee chairmen, and again urged that all proposed amendments be checked with the Legislative Counsel prior to being placed across the desk in an effort to eliminate unnecessary work.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE AUTHORIZED TO PUT AMENDMENTS IN ORDER

Mr. Henderson asked for, and was granted, unanimous consent that the Chief Clerk be authorized to put the amendments to Assembly Bill No. 3177, which were adopted this morning on second reading, in order.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 23

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 23, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 23

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

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1091

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1091, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1091—An act to add Title 11, comprising Sections 1300 to 1331, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1091?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "uniform".

Amendment No. 2

On page 1, line 4, of said bill, as amended, strike out "Uniform"

Amendment No. 3

On page 1, line 9, of said bill, as amended, strike out "Uniform".

Amendment No. 4

In the title of the printed bill, as amended in the Senate on May 8, 1951, strike out line 1, and insert "An act to add Title 10a, comprising Sections 1650 to 1681,".

Amendment No. 5

In line 2 of the title of said bill, strike out "sive,".

Amendment No. 6

On page 1, line 1, of said bill, strike out "11", and insert "10a".

Amendment No. 7

On page 1, line 4, of said bill, strike out "11", and insert "10a".

Amendment No. 8

On page 1, line 9, of said bill, strike out "1300", and insert "1650".

Amendment No. 9

On page 1, line 11, of said bill, strike out "1301", and insert "1651".

Amendment No. 10

On page 1, line 14, of said bill, strike out "1302", and insert "1652".

Amendment No. 11

On page 2, line 13, of said bill, strike out "1303", and insert "1653".

Amendment No. 12

On page 2, line 15, of said bill, strike out "1304", and insert "1654".

Amendment No. 13

On page 2, line 18, of said bill, strike out "1320", and insert "1670".

Amendment No. 14

On page 2, line 24, of said bill, strike out "1310", and insert "1660".

Amendment No. 15

On page 2 of said bill, strike out line 41, and insert
"1661. Any obligor contemplated by Section 1660, who".

Amendment No. 16

On page 2, line 49, of said bill, strike out "1320", and insert "1670".

Amendment No. 17

On page 3, line 3, of said bill, strike out "1321", and insert "1671".

Amendment No. 18

On page 3, line 8, of said bill, strike out "1322", and insert "1672".

Amendment No. 19

On page 3, line 12, of said bill, strike out "1323", and insert "1673".

Amendment No. 20

On page 3, line 16, of said bill, strike out "1324", and insert "1674".

Amendment No. 21

On page 3, line 24, of said bill, strike out "1325", and insert "1675"

Amendment No. 22

On page 3, line 30, of said bill, strike out "1326", and insert "1676".

Amendment No. 23

On page 3, line 34, of said bill, strike out "1327", and insert "1677".

Amendment No. 24

On page 3, line 38, of said bill, strike out "1328", and insert "1678".

Amendment No. 25

On page 4, line 5, of said bill, strike out "1329", and insert "1679".

Amendment No. 26

On page 4, line 13, of said bill, strike out "1330", and insert "1680".

Amendment No. 27

On page 4, line 18, of said bill, strike out "1331", and insert "1681".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1091 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 1091 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 2.10 p.m., on motion of Mr. Collier, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Collier was granted permission to introduce a bill by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3429: By Mr. Collier—An act to amend Section 2008.5 of the Welfare and Institutions Code relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Referred to Committee on Governmental Efficiency and Economy.

Point of Order

Mr. Dunn arose to the following point of order: That the hour for the special order of business has arrived.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1985 was taken up.

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Sections 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent That Proposed Amendments Be Considered Out of Order

Mr. Dunn asked for, and was granted, unanimous consent that his proposed amendments to Assembly Bill No. 1985 be taken up, out of order, at this time; and that the amendments being offered by the Committee on Ways and Means be considered prior to the sending of the bill to be reprinted. (Note: Mr. Sherwin joined with Mr. Dunn in this unanimous consent request.)

Consideration of Amendments
Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on May 11, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 26 of said bill, strike out lines 18 to 31, inclusive, and insert

"SEC. 9. If this act requires the performance of any duty between July 1, 1951, and the effective date of this act, such duty shall be performed within 10 days after such effective date."

Amendments read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on May 11, 1951, strike out "and".

Amendment No. 2

In line 7 of the title of said bill, after "code," insert "and to add Part 12, comprising Sections 27000 to 28179, inclusive, to Division 2 of the Revenue and Taxation Code,".

Amendment No. 3

On page 26 of said bill, between lines 17 and 18, insert

"SEC. 9. Part 12, comprising Sections 27000 to 28179, inclusive, is added to Division 2 of the Revenue and Taxation Code, to read.

PART 12. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

27000. This part is known and may be cited as the "Cigarette Tax Law."

27001. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

27002. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

27003. "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district, or other political subdivision thereof or any other group or combination acting as a unit and also an executor, administrator, receiver, trustee or other fiduciary.

27004. "Sale" and "sold" mean any transfer, exchange, or barter, with or without compensation, in any manner or by any means whatever.

27005. "Package" means the individual package, box, or other container in or from which retail sales of cigarettes are normally made or intended to be made.

27006. "Vendor" means any person who comes into possession of cigarettes for the purpose of sale, use or distribution within this State.

27007. "Agent" means any person authorized by the board to purchase and affix adhesive or meter stamps under this part.

27008. "Stamp" means the stamp or stamps authorized by the board, by use of which the tax levy under this part is paid.

27009. "Board" means the State Board of Equalization.

CHAPTER 2. IMPOSITION OF TAX

27050 From and after the first day of July, 1951, there is hereby levied, and there shall be collected as provided in this part, an excise tax upon all cigarettes possessed in this State by any person for sale, use, consumption, handling or distribution in an amount equal to three cents ($0.03) for each 20 cigarettes or fraction thereof.

27051. Cigarettes sold under such circumstances that this State is without power to impose such tax or sold to or by a voluntary unincorporated organization of army or navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy are exempted from the taxes imposed by this part.

27052. Any vendor engaged in interstate business who shall furnish surety bond in a sum satisfactory to the board may set aside such part of his stock as may be necessary for the conduct of such interstate business without affixing the stamps required under this part Such interstate stock shall be kept separate and apart from all other stocks of cigarettes. Such vendor shall at the time of shipping or delivering any cigarettes make a true and duplicate invoice of the same which shall show full and complete details of the sale or delivery and shall retain the same subject to the use and inspection of the board.

27053. If shall be presumed for the purposes of this part that all cigarettes manufactured in this State, delivered to or possessed by any person on and after July 1, 1951, are subject to tax under this part until the contrary is established, and the burden of proof that any cigarettes are not taxable under this part shall be upon the person claiming the exemption.

CHAPTER 3. PAYMENT OF TAX

27075 Vendors and agents shall be liable to the State as taxpayers for the payment of the tax imposed under this part and shall pay the tax by purchasing adhesive or meter stamps from the board of such design and denomination as it may prescribe.

27076. Every vendor within 24 hours of the receipt of any cigarettes shall cause to be affixed on every package of such cigarettes on which the tax required under this part has not previously been paid as evidenced by stamps affixed thereto, stamps of an amount equal to the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes or distributes such cigarettes in this State.

27077. Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of tax upon the contents therein, and shall

be affixed in such manner as to be visible to the purchaser and that they cannot be removed from the package or container without being mutilated or destroyed.

27078. The board may require returns to be filed with it at such times and containing such information as it may prescribe.

27079. The board shall prescribe, prepare and furnish stamps of such denominations and quantities as may be necessary for the payment of the tax imposed by this part, and may from time to time and as often as it deems advisable provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design. The board shall make provisions for the sale of such stamps at such places and at such times as it may deem necessary.

27080. The board may appoint dealers in cigarettes, manufacturers of cigarettes, and other persons within or without the State as agents to buy or affix stamps to be used in paying the tax required under this part. An agent shall at all times have the right to appoint the person in his employ who is to affix the stamps to any cigarettes under the agent's control. Whenever the board shall sell and deliver stamps to any such agent, he shall be entitled to receive as compensation for his services and expenses as such agent in purchasing and affixing the stamps, and to retain out of the money to be paid by him for the stamps, a commission on the par value thereof. The board may prescribe a schedule of commissions, not exceeding 3 per centum allowable to such agent for buying and affixing such stamps. Such schedule shall be uniform with respect to the different types of stamps used, and may be on a graduated scale with respect to the number of stamps purchased.

27081. The board may, in its discretion, permit an agent to pay for such stamps within 30 days after the date of purchase provided a bond satisfactory to the board in an amount not less than the sale price for such stamps shall have been filed with the board conditioned upon payment for the stamps.

27082. The board may authorize the use of meter stamping machines for imprinting stamps, which imprinted stamps shall be in lieu of those otherwise provided for in this part, and shall prescribe reasonable rules and regulations with respect to the use thereof.

CHAPTER 4. RECORDS

28000. At the time of delivering cigarettes to any person in this State each agent shall make a true duplicate invoice showing the date of delivery, the number of packages and number of cigarettes contained therein, in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made, and shall retain the same for a period of three years subject to the use and inspection of the board

28001. Each vendor shall procure and retain invoices showing the number of packages and number of cigarettes contained therein, in each shipment of cigarettes received by him, the date thereof, and the name of the shipper, and shall retain the same for a period of three years subject to the use and inspection of the board

28002. The board by regulation may provide that whenever cigarettes are shipped into the State, the railroad company, express company, trucking company or other public carrier transporting any shipment thereof shall file with the board a copy of the freight bill within 10 days after the delivery in the State of each shipment All vendors shall maintain and keep for a period of three years such other records of cigarettes received, sold or delivered within the State as may be required by the board

28003. Every person who shall possess or transport any unstamped packages of cigarettes shall be required to have in his actual possession invoices or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a vendor in this State and subject to the provisions of this part.

CHAPTER 5. DETERMINATIONS

28025 If any person fails to pay the tax required under this part the board shall make an estimate of the quantity of cigarettes sold, used, consumed, handled or distributed by such person in this State on which the tax was not paid. The estimate shall be based upon any information which is in the board's possession or may come in its possession. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty of an amount equal to the total tax computed, and interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment.

28026 Promptly after making its determination the board shall give to the person written notice of the estimate, determination, and penalty, the notice to be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure.

CHAPTER 6. COLLECTIONS

Article 1. Seizure and Sale

28050. Whenever the board shall discover any cigarettes, subject to tax under this part, and upon which the tax has not been paid or the stamps affixed as herein required, it is hereby authorized and empowered to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for

sale. Such seized cigarettes, vending machine or receptacle shall be deemed to be forfeited to the State.

28051. The board may, within a reasonable time after a seizure of cigarettes pursuant to this chapter, by a public notice at least five days before the day of sale, sell such forfeited cigarettes at a place to be designated by it and from the proceeds of such sale shall collect the tax due thereon and all other unpaid cigarette taxes found to be due from the vendor by the board together with a penalty of an amount equal to the taxes due and interest at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment and the costs incurred in such proceedings. The board shall pay the balance, if any, to the person in whose possession such forfeited cigarettes were found.

28052. The board, in lieu of the sale of cigarettes as provided in this chapter, may permit the person from whom any cigarettes were seized to redeem the cigarettes, and any vending machine or receptacle seized therewith, by the payment of the taxes due together with a penalty of an amount equal to the tax due thereon, interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment, and the costs incurred in such proceeding, which total payment shall not be less than five dollars ($5).

28053 The seizure and sale or redemption of cigarettes shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this part.

28054. When the board has good reason to believe that any cigarettes are being kept, sold, or offered for sale, in violation of the provisions of this part or its regulations it may make an affidavit of such fact, describing the place or thing to be searched, before any justice of peace, or judge of any court in this State, and such justice or judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the board commanding him diligently to search any building, room, place, or vehicle as may be designated in the affidavit and search warrant, and to seize such cigarettes so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the cigarette, unlawfully possessed, were seized, the same shall be sold as provided in this part.

Article 2. Civil Action

28075. If any person is delinquent in the payment of any obligation imposed under this part, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State

28076 In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

28077. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax, interest and penalties set forth in the certificate, and of compliance by the board with all provisions of this part in relation to the assessment of the property and computation and levy of the tax.

CHAPTER 7. REFUNDS

28100. The board may issue regulations providing for the refund to agents and vendors of the cost of stamps affixed to packages of cigarettes, which by reason of damage become unfit for sale or use and are destroyed by the vendor or agent, or are returned to the manufacturer or jobber. In the case of any packages to which stamps have been affixed, and which packages have been sold and shipped to a regular dealer in cigarettes in another state, the seller in this State shall be entitled to a refund of the actual amount of the stamps so affixed, upon condition that the seller in this State shall file an affidavit that the packages were sold and shipped outside of the State and that he has received from the purchaser outside the State a written acknowledgment that he has received such packages with the amount of stamps affixed thereto, together with the name and address of such purchaser. No refund shall be made under this section unless the stamps so affixed for which the refund is claimed have been marked void by the seller in this State with the name and address of the seller stamped thereon.

28101. The board is authorized to redeem any unused stamps purchased from it at the face value thereof less any discount allowed upon their purchase, as an agent's commission

28102 No person shall sell or offer for sale any stamp or stamps issued under this part except by written permission of the board.

CHAPTER 8. ADMINISTRATION

28125. The board shall enforce the provisions of this part and may issue regulations relating to the administration and enforcement of this part.

28126. The board may employ accountants, auditors, investigators, assistants and clerks necessary for the efficient administration of this part.

28127. Every person dealing in, transporting or storing cigarettes in the State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto, and in such form, as the board may require.

28128. The board or its authorized representative may examine the books, records, papers, stock in trade, and equipment of any person dealing in, transporting, or in possession of, cigarettes, and may investigate the character of the disposition which such person makes of the cigarettes in order to ascertain whether all excise taxes due under this part have been properly paid

28129. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever other than in the discharge of official duties the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of an official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any report or copy thereof, or any book containing any abstract or particulars thereof to be seen or examined by any person However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government if a reciprocal arrangement exists or by any other person

CHAPTER 9. DISPOSITION OF PROCEEDS

28150 All moneys and remittances received by the State Board of Equalization in pursuance of the provisions of this act shall be transferred promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller. All moneys so received and so transmitted shall be deposited in the State Treasury and credited to the "Cigarette Tax Fund," which fund is hereby created, to be used for the expenses of the board in administering this act. At the end of each fiscal year the surplus remaining in such fund shall be transferred to the General Fund. If at any time the Legislature shall appropriate funds for the expenses of the board in administering this act then all money received by the board under this act and transmitted to the State Treasurer shall be deposited in the General Fund.

CHAPTER 10 VIOLATIONS

28175 It is a felony for any person falsely or fraudulently to make, forge, alter or counterfeit any stamp prescribed by the board under the provisions of this part, or to cause or procure to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or to knowingly and wilfully use, utter, purchase, pass or tender as true any such false, altered or counterfeited stamp.

28176. It is a misdemeanor for any person to fail, neglect, or refuse to comply with, or to violate any provision of this part or any regulation issued by the board under this part

28177. It is a misdemeanor for any person to possess or transport unstamped packages of cigarettes in this State for the purpose of sale, or to sell or offer for sale unstamped packages of cigarettes in violation of the provisions of this part

28178. All agents, employees and others who aid, abet, or otherwise participate in any way in the violation of the provisions of this part, shall be guilty and punishable as principals.

28179. It is presumed that persons other than vendors and agents who purchase or receive shipments of unstamped cigarettes do so to avoid payment of the tax imposed under this part.

SEC. 11. It is the intent of the Legislature in enacting Part 12 of Division 2 of the Revenue and Taxation Code that the proceeds of the taxes levied by that part shall be devoted to the support of public education as provided in Chapters 2, 12, 14, 15, and 16 of Division 3 of the Education Code to the extent that such cost is not required to be provided for by Section 6 of Article IX of the Constitution and for the payment of interest and principal of any bonds issued pursuant to Section 15 of Article XVI of the Constitution. This section shall not be construed to set aside in any manner the specific proceeds of the taxes levied under Part 12, but such proceeds shall be applied as provided in Section 28150 of the Revenue and Taxation Code."

Amendment No. 4

On page 26, line 18, of said bill, strike out "9", and insert "10".

Amendments read.

Motion That Bill With Proposed Amendments Be Re-referred to the Committee on Revenue and Taxation

Mr. Sherwin moved that Assembly Bill No. 1985, with above proposed committee amendments, be re-referred to the Committee on Revenue and Taxation for consideration prior to action being taken upon the amendments.

Messrs Doyle and Collier seconded the motion.

Substitute Motion

Mr. Hollibaugh moved, as a stubstitute motion, that Assembly Bill No. 1985, with proposed amendments offered by the Committee on Ways and Means, be re-referred to the Committee on Ways and Means.

Mr. Brady seconded the substitute motion.

Point of Inquiry

Mr Lowrey arose to the following point of inquiry: Is it a fact that Assembly Bill No. 1985 at present carries no cigarette tax in it?

Ruling by Speaker

Speaker Sam L Collins ruled this point of inquiry correct.

Demand for Previous Question

Messrs Waters, Hinckley, Luckel, McGee, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the substitute motion by Mr. Hollibaugh to re-refer Assembly Bill No 1985, with proposed amendments, to the Committee on Ways and Means.

Substitute Motion Withdrawn

Mr. Brady withdrew his second.

Mr. Hollibaugh withdrew his substitute motion.

The question being on the motion by Mr. Sherwin that Assembly Bill No. 1985, with the amendments being proposed by the Committee on Ways and Means, be re-referred to the Committee on Revenue and Taxation.

Demand for Previous Question

Messrs. Silliman, Dolwig, Kirkwood, Waters, and Sherwin demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Sherwin.

Point of Inquiry

Mr. Lyon arose to the following point of inquiry: Am I correct in assuming that Assembly Bill No. 1985, with the proposed amendments which have to do with revenue and taxation, will now be considered by the Committee on Revenue and Taxation when the amendments, not yet adopted by this body, do not now present a problem of revenue and taxation?

Ruling by Speaker

Speaker Sam L. Collins ruled this point of inquiry correct.

The question being on the motion by Mr. Sherwin.

The roll was called, and the motion by Mr. Sherwin carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—Condon and Elliott—2.

Assembly Bill No. 1985, with amendments being proposed by the Committee on Ways and Means, ordered re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2502

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2502, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2502

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Bill read third time.

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

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43.

NOES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Maloney, McCarthy, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, and Thomas—28.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Crowley asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 2502, and that he be recorded as voting "No", instead of "Aye".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2818—An act to amend Sections 737a, 737kk, 737*ll* of the Political Code, and Sections 79.1, 79.37, and 79 38 of the Code of Civil Procedure, relating to salaries of superior court judges.

Bill read third time.

Demand for Previous Question

Messrs. Waters, Geddes, Hinckley, Lanterman, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2818.

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

AYES—Beck, Berry, Caldecott, Connolly, Crowley, Dickey, Dolwig, Doyle, Gaffney, Lindsay, Lyon, Maloney, McCarthy, McGee, Meyers, Munnell, Niehouse, Rosenthal, Rumford, and Smith—20.

NOES—Babbage, Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McMillan, Morris, Moss, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—46.

Notice of Motion to Reconsider Assembly Bill No. 2818

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2818 was this day refused passage.

Explanation of Vote on Assembly Bill No. 2818

On voting on Assembly Bill No. 2818, I was under the impression the bill affected only San Francisco County, as the matter appeared on the Daily File It was not my intention to vote a blanket increase in judges' compensation. The pay increase was approved by official bodies, and others interested, in that county.

JULIAN BECK

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, May 15th, at 7.30 a.m., at Hart's restaurant.

Mr. Babbage announced that the oranges being distributed to the members are gifts from the Public Affairs Department of the Kiwanis Club of Riverside.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hawkins:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 25208 to the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Respectfully submitted

AUGUSTUS F. HAWKINS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hawkins:

An act to add Section 25208 to the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70.

NOES—Waters—1.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3430: By Mr. Hawkins (By Request of Messrs. Brady, Chapel, George D. Collins, Condon, Dills, Dunn, Elliott, Evans, Geddes, Henderson, Kilpatrick, McMillan, Munnell, Parker, Porter, Rosenthal, and Thomas)—An act to add Section 25208 to the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Referred to Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 146

Relative to requesting the California Highway Commission to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles

WHEREAS, Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now a state highway, being a portion of Route 162, in the County of Los Angeles; and

WHEREAS, The said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now divided and separated into two roadways by the unimproved right of way of the Pacific Electric Company; and

WHEREAS, The unimproved right of way of the Pacific Electric Company, including utility poles, exposed rails and ties, and separating curbings, constitutes an unsafe and unsightly obstruction to the traveling public, as well as to the merchants and residents of the immediate area; and

WHEREAS, It may become necessary to seek special funds for the alleviation of said condition, and for that purpose it is desirable that a preliminary survey be made and preliminary plans and estimate of costs be developed; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission be, and is hereby, requested to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of the said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles, which improvement shall include the relocation of utility poles, the removal of curbings which now separate the roadways from the Pacific Electric unimproved right of way, and the paving of the entire surface of said Santa Monica Boulevard, including the area within the unimproved Pacific Electric right of way and between the rails therein, the said rails to be at the same grade as the adjoining highway pavement; and be it further

Resolved, That the California Highway Commission report to the Assembly on this matter not later than five days after the commencement of the Budget Session of 1952

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

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 741, 1561, 1577, and 2929 re-referred to the Committee on Education.

Assembly Bill No. 784 re-referred to the Committee on Ways and Means

Assembly Bills Nos. 1234, 1235, 1311, 1526, 2695, and 3270 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 234 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 963 re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McCarthy, Miller and Burns, as a Committee on Conference concerning:

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

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

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 89
Senate Bill No. 110
Senate Bill No. 204

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Judiciary, in Room 2170.
Finance and Insurance, in Room 3186

Today Upon Adjournment—

Boards and Commissions, in Room 426
Public Utilities and Corporations, in Room 432.
Ways and Means, in Room 435.

Tomorrow, Tuesday, May 15th, at 9 a.m.—

Subcommittee on Education, in Room 315. Subject: Assembly Bill No. 3109.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Reverend and Mrs. O. Scott McFarland of Santa Ana and Sally Alley of Los Angeles.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles F. Sarver of Hollywood.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Doris Johnson, teacher, and the following pupils of the Denair High School: Helen Brown, Virginia

Patterson, Glenn Ratcliff, Clifford Hamlow, Beverly May, Betty Thornton, Wayne Haile, Richard Nelson, and Bince Murphy.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to "Nate" Rose, Truatt Westbrook, and Harold Cox of San Bernardino.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Alvin C. Burkholder of Upland College, Upland.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Roseanne Jones of Los Angeles.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Harold G. Engstrom, teacher, and the following pupils of the Central Gaither Union School: Betty Baker, Jimmie Carpenter, Louise Case, Marilyn Combs, Jeanie Elder, Everett Flanagan, Claudeen Hively, Jerry Hood, Jerry Hyde, Edgar Kendrix, Roberta Klemm, Noreen Miller, Leon Pack, Roberta Pearce, Kenneth Phillips, Ronald Schuler, Johnny Simpson, and Marlena Stevenson.

ADJOURNMENT

At 3.27 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 15, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY

EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 15, 1951

The Assembly met at 9.30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

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

O Thou Who Art Our Strength and Our Redeemer, Grant us Thy guidance for the duties that lie before us. Bless and protect those who serve upon our far-flung battlefields, and grant heavenly wisdom to all who stand in places of leadership and responsibility.

"I know not what the future hath
Of marvel or surprise,
Assured alone that life and death
His mercy underlies.
And if my heart and flesh are weak
To bear an untried pain,
The bruised reed He will not break
But strengthen and sustain."

We ask it all through Jesus Christ our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Rosenthal, on motion of Mr. Beck.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lipscomb, on motion of Mr. Smith.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF SUBCOMMITTEE ON EDUCATION BE PLACED UPON MORNING ROLL CALL

Mr. Smith asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Subcommittee on Education, at this time, be placed upon the morning roll call as follows:

Messrs. Caldecott, Fleury, Klocksiem, and Moss.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 1736

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

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Senate Bill No. 638
Senate Bill No. 639

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

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 42

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

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

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

Senate Concurrent Resolution No. 62
Senate Concurrent Resolution No. 63
Senate Concurrent Resolution No. 64
Senate Concurrent Resolution No 65
Senate Concurrent Resolution No. 66
Senate Concurrent Resolution No 67

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 62—Relative to Reports of the Annual Conventions of the American Legion.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 63—Relative to Reports of the Department Encampments and the Annual Encampments or Conventions of the United Spanish-American War Veterans.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 64—Relative to the Report of the Annual Convention of the Disabled American Veterans of the Department of California.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 65—Relative to Reports of the Annual Conventions of the American Veterans of World War II (AMVETS).

Referred to Committee on Rules.

Senate Concurrent Resolution No. 66—Relative to Reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 67—Relative to scarcity of skilled milkers.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Senate Bill No. 432
Senate Bill No. 1576

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 432—An act to amend Section 4458 of the Labor Code, relating to volunteer firemen.

Referred to Committee on Industrial Relations.

Senate Bill No. 1576—An act to add Article 12 5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to add Article 7, comprising Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302 3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5, 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the

blind, to provide for orientation centers and California industries for the blind and for state purchase of products made in institutions for the blind.

Referred to Committee on Social Welfare.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Concurrent Resolution No. 37
Assembly Joint Resolution No. 29

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 59

And respectfully requests your honorable body to concur in said amendments.

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

Above resolution ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 911
Assembly Bill No. 1160
Assembly Bill No. 2284
Assembly Bill No. 2672
Assembly Bill No. 2694
Assembly Bill No. 2809

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 959

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

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on April 20, 1951, strike out lines 11 to 20, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and

insert "A vacancy in such office shall be filled by the election of a judge for a full term at the next general state election after the first day of January next succeeding the accrual of the vacancy; except that if the term of an incumbent, elective or appointive, is expiring at the close of the year of a general state election and a vacancy accrues after the commencement of that year and prior to the commencement of the ensuing term, the election to fill the office for the ensuing full term shall be held in the closing year of the expiring term in the same manner and with the same effect as though such vacancy had not accrued. In the event of any vacancy, the Governor shall appoint a person to hold the vacant office until the commencement of the term of the judge elected to the office as herein provided."

HATFIELD
REGAN
Senate Committee on Conference

BROWN
CLARKE
McGEE
Assembly Committee on Conference

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—54.
NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 696?

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "Federal Housing Administration".

Amendment No. 2

On page 2, line 4, of said bill, strike out "required by the various lending agencies".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 696 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—53.
NOES—None.

Assembly Bill No. 696 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 15, of the printed bill, after "bonds.", insert "Further, when such purpose and object have been accomplished and all principal and interest on the bonds have been paid, any balance of money then remaining shall be transferred to the general fund."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3199—An act to amend Sections 14722 and 14720.1 of the Education Code and to add Section 14720.2 to said code, all relating to district retirement systems.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Senate Bill No. 458
Senate Bill No. 392

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

BROWN, Chairman

Above reported bills ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1152—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such

waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof, to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I thereof, relating to grand juries.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures presented to the Legislature.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Thomas, and Tomlinson—59.

NOES—Collier and Sherwin—2.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 1216
Assembly Bill No. 1789
Assembly Bill No. 3177

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 782
Assembly Bill No. 1529

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 914
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 2648
Assembly Bill No. 2770
Assembly Bill No. 2942
Assembly Bill No. 2943

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1045
Assembly Bill No. 1049
Assembly Bill No. 2018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2755

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

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 454
Assembly Bill No. 2941
Assembly Bill No. 2002

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 393
Senate Bill No. 1026

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

BROWN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 984—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 985—An act to amend Sections 18100.5, 18104.5, 18105, 18107.1, 18108, 18109, 18200, 18201, 18202, 18203, 18302, 18303, 18304, 18306, 18308, 18432, 18435, 18450, 18455.5, 18460, 18462, 18466.8, 18467, 18470, and 18470.5 of the Health and Safety Code; to amend and renumber Section 18100 thereof; to amend the title of Part 2, Division 13 thereof, and the title of Chapter 4, Part 2, Division 13 thereof; to add Sections 18100, 18104.7, 18105.1, 18105.2, 18106.6, 18107.2, 18110, 18110.5, 18200 2, 18200 3, 18200.4, 18200.6, 18200.8, 18300.5, 18301.5, 18307, 18450.5, 18453, 18460.1, 18466.9, 18470.1, and 18470.2 thereto, Articles 4 and 5 to Chapter 4, Part 2, Division 13 thereof, and Chapter 5 to Part 2, Division 13 thereof; to repeal Sections 18101, 18102, 18102.5, 18103, 18300, and 18301, and Chapters 5, 5 5, 6, and 7 of Part 2, Division 13 therefrom, relating to auto courts, motels, and resorts, and auto and trailer parks.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Grant, Grunsky, Gubser, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood,

Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—46.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 3410

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 3406

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2686

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No 2688

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

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 1814

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

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 251
Assembly Bill No. 3387

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

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 885

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 830—An act to amend Sections 1302 and 1303 of the Education Code, relating to the employment of associate superintendents of schools and the terms of office of school superintendents, associate superintendents, and deputy and assistant superintendents.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McMillan, Meyers, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—53.

NOES—Kirkwood—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3098—An act to amend Section 17 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3409—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lindsay moved a call of the Assembly.

Motion carried. Time, 10.26 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Coats, Dickey, Hagen, Hinckley, Kilpatrick, McCarthy, Meyers, Morris, Porter, Shaw, and Waters—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 519	Assembly Bill No. 2936
Assembly Bill No. 1715	Assembly Bill No. 2496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1808

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

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2562

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

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 272
Senate Bill No. 742
Senate Bill No. 1589

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

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 143

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2795
Assembly Bill No. 3423

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 739
Senate Bill No. 980

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 359
Assembly Bill No. 682
Assembly Bill No. 1643
Assembly Bill No 2079

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

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2086

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2808

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 1998
Assembly Bill No 3239

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No 529
Assembly Bill No. 2827

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

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

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1998—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural water-well boring rig.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3239—An act to amend Section 31526 of the Government Code, relating to retirement of county employees.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295. 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to public works and improvements.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 529—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

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

Senate Concurrent Resolution No. 73
Senate Concurrent Resolution No. 75

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 73—Relative to expressing regret at the passing of John F. Dalton.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 75—Relating to Henry H. Benedict.

Referred to Committee on Rules.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1216, on motion of Mr. Maloney.

Assembly Bill No. 3410, on motion of Mr. Geddes.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2827—An act to amend Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dills, Dolwig, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr Speaker—51.

NOES—Doyle, Dunn, Geddes, and Levering—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Hahn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "or attempts to purchase".

Amendment read.

Demand for Previous Question

Messrs. Hansen, Silliman, McCollister, Lincoln, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hahn to Assembly Bill No. 3070.

Roll Call Demanded

Messrs. Hahn, Moss, and Cooke demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, George D. Collins, Conrad, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Moss, Munnell, Shaw, Sherwin, and Smith—24.

NOES—Belotti, Berry, Brady, Chapel, Clarke, Cloyed, Condon, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Evans, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Levering, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Niehouse, Parker, Porter, Rumford, Stanley, Thomas, Tomlinson, and Mr. Speaker—38.

The question being on the passage of Assembly Bill No. 3070.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—63.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 3070

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3070 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Burkhalter asked for, and was granted, unanimous consent that a letter of transmittal from the Assembly Interim Committee for Investigation of Traffic Control be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, May 8, 1951

Honorable Sam L. Collins, Speaker
Assembly Chamber, Sacramento, California

DEAR MR. COLLINS: The Assembly Interim Committee for Investigation of Traffic Control, created by House Resolution No. 233, Regular Legislative Session 1949, and House Resolution No. 60, First Extraordinary Session 1950, herewith presents its final report.

Thanking you, I am

Yours very truly,

EVERETT G. BURKHALTER, Chairman
EDWARD E ELLIOTT
VERNON KILPATRICK

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 1,000 COPIES BE PRINTED

Mr. Burkhalter asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee for Investigation of Traffic Control be printed as a separate document, and that 1,000 copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 34: By Mr. Chapel—Relative to memorializing the President and the Congress of the United States to survey the nature, extent and efficacy of the participation of the United States in the United Nations.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 909

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up consideration of Senate amendments to Assembly Bill No. 909, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 909—An act to add Section 30.02 to the Public Utility District Act of 1921, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 909?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 5 and 6, and insert "to borrow or procure money from the United States for the purpose of obtaining and supplying water for domestic, irrigation and fire protection purposes in the same manner and under the same procedures that irrigation districts are now".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended in the Senate on April 25, 1951, strike out "Public", and insert "For the purpose of obtaining and supplying water for domestic, irrigation and fire protection purposes, public".

Amendment No. 3

On page 1, line 7, of said bill, as amended, strike out "for the purpose of obtain-"; strike out all of line 8, and in line 9, strike out "tection purposes".

Amendment No. 4

In lines 1 and 2 of the title of the printed bill, as amended in the Senate on May 9, 1951, strike out "of 1921".

Amendment No. 5

On page 1, line 2, of said bill, as amended, strike out "of 1921".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 909 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—65.

NOES—None.

Assembly Bill No. 909 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 952—An act to amend Sections 1521 and 1521.2 of the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 955—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 10, 1951, strike out "1181.3", and insert "1881.3".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Senate Bill No. 946—An act to amend Section 1503 and to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—Elliott—1.

Motion to Amend Title

Mr. Kirkwood moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "and to repeal Section 1507".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Senate Bill No. 951—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to acceptance of rehabilitative training.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1031—An act to consolidate and revise the law relating to community redevelopment and housing for the preservation of the public health and safety, and the formation, regulation, and operation of corporations therefor, by adding Division 24 and Section 40021 to the Health and Safety Code, and repealing certain acts specified herein.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1677—An act to amend Section 50022 of the Government Code, relating to fire prevention codes.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 648—An act to repeal Education Code Sections 20379, 20344.1, and 20344.2 and to add Chapter 1.5 to Division 10 of said code, relating to schools and colleges under the jurisdiction of the Department of Education.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3391

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3391, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3391

Assembly Bill No. 3391—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1076—An act to add Section 13845 to the Education Code, relating to the Public School System of the State of California.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 231—An act to amend Section 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley,

Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 370—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to contracts of public officers.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—49

NOES—George D. Collins, Condon, Cooke, Dills, Elliott, Geddes, Hagen, Lowrey, Moss, Shaw, and Sherwin—11

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3409

At 12 m., on motion of Mr. Lindsay, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3409 passed by the following vote.

AYES—Babbage, Belotti, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Erwin, Evans, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—42.

NOES—Beck, Berry, Brady, Burke, Burkhalter, George D. Collins, Condon, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Stewart, Thomas, and Tomlinson—32

Notice of Motion to Reconsider Assembly Bill No. 3409

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3409 was this day passed.

RECESS

At 12.02 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 2828

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 1985
Assembly Bill No. 2011
Assembly Bill No. 2531

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 1984
Assembly Bill No. 2448
Assembly Bill No. 2850

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Constitutional Amendment No. 36
Assembly Constitutional Amendment No. 41

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2448 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 2011, 2531, Assembly Constitutional Amendments Nos. 36 and 41 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1985, 1984, and 2850 re-referred to the Committee on Revenue and Taxation.

Senate Bill No. 872 re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire alarm apparatus and false alarms, providing punishment therefor.

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

Assembly Bill No. 2026 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 71—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Silliman moved a call of the Assembly.

Motion carried. Time, 2.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Burkhalter, Chapel, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dunn, Elliott, Evans, Fleury, Geddes, Gubser, Hawkins, Hinckley, Kelly, Lindsay, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Smith, Thomas, and Tomlinson—30

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2870

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2870, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2870

Assembly Bill No. 2870—An act to add Sections 258.1 and 259.1 to the Vehicle Code, relating to operators of school busses and temporary issuance of chauffeurs' licenses therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 876—An act to add Section 13011 to the Government Code, relating to the powers and duties of the Director of Finance.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

PETITIONS

By Speaker Sam L Collins:

A petition from Annie Ellenburger of Hayward, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott Erwin, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Waters, and Mr Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 915—An act to amend Section 43068 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 91

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1683—An act to amend Sections 38440, 38451, 38452, 38460, and 38461, and to repeal Sections 38453 to 38459, inclusive, of the Government Code, relating to discontinuance of municipal parks.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 528—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 529—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 108—An act to add Section 718 to the Vehicle Code, relating to penalties for overloading vehicles.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 14, 1951, strike out lines 5 to 13, inclusive, and insert "up to 4,000 pounds, one-half cent per pound".

Amendment No. 2

On page 3 of said bill, after line 4, insert "50 percent of the above penalties shall apply on axle overloads".

Amendments read.

Amendments Ruled Not in Order

Speaker Sam L. Collins ruled the above amendments not in order.

Request for Unanimous Consent That Amendments Be Withdrawn

Mr. Dunn asked for, and was granted, unanimous consent that his amendments be withdrawn, at this time, for purpose of correction.

Consideration of Further Amendments

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 14, 1951, after line 45, insert

"This section is applicable only if a maximum weight limitation prescribed by this code has been exceeded by more than 10 percent of the amount of the limitation."

Amendment read.

Roll Call Demanded

Messrs. Davis, Dunn, and Lincoln demanded a roll call.

The roll was called, and the amendment offered by Mr. Davis refused adoption by the following vote:

AYES—Berry, Chapel, Clarke, George D. Collins, Crowley, Davis, Dickey, Doyle, Dunn, Gaffney, Gubser, Hahn, Henderson, Hollibaugh, Lincoln, Lyon, Maloney, McCollister, Meyers, Porter, and Rumford—21.

NOES—Beck, Belotti, Burke, Burkhalter, Caldecott, Cloyed, Collier, Conrad, Cooke, Dills, Erwin, Fleury, Geddes, Grunsky, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lowrey, McFall, McGee, Moss, Munnell, Niehouse, Parker, Shaw, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—34.

The question being on the passage of Senate Bill No. 108.

Further Consideration of Amendments by Mr. Dunn

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 14, 1951, strike out lines 12 to 19, inclusive, and insert "up to 4,000 pounds, one-half cent per pound".

Amendment No. 2

On page 2 of said bill, after line 45, insert "50 percent of the above penalties shall apply on axle overloads".

Amendments read.

Division of the Question

Mr. Dunn asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 14, 1951, strike out lines 12 to 19, inclusive, and insert "up to 4,000 pounds, one-half cent per pound"

Amendment read.

Roll Call Demanded

Messrs Dunn, Davis, and Condon demanded a roll call.

The roll was called, and Amendment No. 1 offered by Mr. Dunn refused adoption by the following vote:

AYES—Berry, Brady, George D. Collins, Condon, Crowley, Davis, Dickey, Doyle, Dunn, Gaffney, Gubser, Hollibaugh, Lincoln, Lyon, Maloney, McCollister, Meyers, Morris, and Rumford—19

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dills, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Lanterman, Levering, McGee, Moss, Munnell, Parker, Porter, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—42.

Consideration of Amendment No. 2

Amendment No. 2

On page 2 of said bill, after line 45, insert "50 percent of the above penalties shall apply on axle overloads".

Amendment read.

The roll was called, and Amendment No. 2 offered by Mr. Dunn refused adoption by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Davis, Dickey, Doyle, Dunn, Gaffney, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Porter, Rumford, and Thomas—27.

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, McFall, McGee, Moss, Munnell, Parker, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—40

The question being on the passage of Senate Bill No. 108.

Consideration of Further Amendments

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "shall be punished by a fine which shall equal", and insert "may be punished by a fine which shall not exceed".

Amendment No. 2

On page 2, line 40, of said bill, strike out "the penalties prescribed by this section", and insert "any penalty imposed pursuant to this section".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Chapel, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Gubser, Hagen, Henderson, Hollibaugh, Lincoln, Lowrey, Lyon, Maloney, McCollister, Meyers, Morris, and Niehouse—25.

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Erwin, Fleury, Geddes, Grant, Grunsky,

Hahn, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, McCarthy, McFall, McGee, Moss, Munnell, Parker, Porter, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

The question being on the passage of Senate Bill No. 108.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—54

NOES—Brady, Burkhalter, Coats, Condon, Davis, Doyle, Dunn, Gaffney, Gubser, Hagen, Henderson, Hollibaugh, Lincoln, Lyon, Maloney, and Meyers—16.

Notice of Motion to Reconsider Senate Bill No. 108

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 108 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Concurrent Resolution No. 51—Congratulating George Mercer Stout on his forthcoming retirement from the state service;

Assembly Concurrent Resolution No. 52—Approving an amendment to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifteenth day of May, 1951, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Joint Resolution No. 32—Relative to memorializing Congress to take necessary action to provide a national cemetery in the vicinity of Los Angeles;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of May, 1951, at 3 p m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2828

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2828, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2828

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1360

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1360, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1360

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 11, 1951, after line 6, insert

"(4) The sheriff and his deputies shall act ex officio as marshal and deputy marshals."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2261

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2261, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2261

Assembly Bill No. 2261—An act to amend Section 44 of and to add Section 45.2 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "Section 44 of and to add Section 45 2", and insert "Sections 44 and 45 5 of".

Amendment No. 2

On page 2, line 17, of said bill, after "contributions", insert "based on services performed in the employ of a bona fide owner or tenant of a farm,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, strike out lines 43 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

"SEC. 2. Section 45 5 of said act is amended to read:

Sec. 45.5. (a) If any employing unit fails to make a return as required by this act the commission shall make an estimate based upon any information in its possession or that may come into its possession of the amount of wages paid for employment in

the period or periods for which no return was filed and upon the basis of such estimate shall compute and assess the amounts of employer and worker contributions payable by the employing unit, adding thereto a penalty of 10 percent of the amount of contributions.

(b) If the commission is not satisfied with the return or returns made by any employing unit of the amount of employer or wage earner contributions, it may compute the amount required to be paid upon the basis of facts contained in the return or returns or upon the basis of any information in its possession or that may come into its possession and make an assessment of the amount of the deficiency. If any part of the deficiency is due to negligence or intentional disregard of this act or the authorized rules and regulations, a penalty of 10 percent of the amount of the deficiency shall be added thereto.

(c) If the failure of the employing unit to file a return within the time required by this act and authorized regulations or if any part of the deficiency for which an assessment is made is due to fraud or an intent to evade this act or the authorized rules and regulations, a penalty of 25 percent of the amount of contributions assessed shall be added thereto.

(d) The amount of each assessment exclusive of penalty shall bear interest at the rate of one-half percent (½%) per month or fraction thereof from and after the last day of the month following the close of the calendar quarter for which the contributions should have been returned until the date of payment.

(e) One or more assessments may be made for the amount due for one or for more than one period and overpayments may be offset against underpayments. The commission shall give to the employing unit against whom an assessment is made a written notice of the assessment. The notice may be served personally or by mail; if by mail, service of the notice of any assessment in excess of three hundred dollars ($300) shall be made by registered mail, otherwise such service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the employing unit at its address as it appears in the records of the commission. In case of service by mail of any notice required by this section, the service is complete at the time of deposit in the United States post office.

(f) Except in the case of failure without good cause to file a return, fraud or intent to evade this act or the authorized rules and regulations, every notice of assessment shall be made within three years after the last day of the month following the close of the calendar quarter during which the contribution liability included in the assessment accrued or within three years after the deficient return is filed, whichever period expires the later[.] *; provided that every notice of assessment based upon services performed in the employ of a bona fide owner or tenant of a farm shall be made within one year after the last day of the month following the close of the calendar quarter during which the contribution liability included in the assessment accrued or within one year after the deficient return is filed, whichever period expires the later.*

An employing unit, however, may waive the limitation period herein prescribed or may consent to its extension.

(g) Any employing unit against whom an assessment is made under this section or any person directly interested may petition for reassessment within 30 days after service of notice of the assessment; provided, that an additional 30 days for the filing of a petition may for good cause be granted by the commission. If a petition for reassessment is not filed within the thirty-day period, or within the additional period granted by the commission, the assessment becomes final at the expiration of the period. If a petition is filed within the time herein prescribed, the appeals board shall review the assessment and if requested by the petitioner shall, unless a hearing has previously been afforded petitioner on the same grounds as set forth in the petition for reassessment, grant a hearing before the appeals board or its duly authorized representatives, giving 10 days' notice of the time and place of the hearing. The appeals board may decrease or increase the amount of the assessment but the amount may be increased only if a 10-day notice of the increase is given by the appeals board with opportunity for hearing before the appeals board with respect to such increase. The order or decision of the appeals board upon the petition for reassessment and the assessment becomes final 30 days after service upon the petitioner of notice of the order or decision. Notices shall be served in the same manner as notices of assessment.

(h) Assessments under this section become delinquent if not paid on or before the date they become final. There shall be added to the amount of each delinquent assessment a penalty of ten percent (10%) of the amount thereof exclusive of interest and penalties.

(i) The commission may cancel any assessment or portion thereof which it finds to have been erroneously made; provided, however, that with respect to an assessment which has become final such a cancellation shall be made only upon the approval of the Appeals Board.

Amendments read.

Roll Call Demanded

Messrs. Maloney, Lindsay, and Brady demanded a roll call.

The roll was called, and the amendments offered by Mr. Lindsay adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 15, 1951

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

GREETINGS: I am returning herewith, without my signature

Assembly Bill No. 1792, entitled: "An act to amend Section 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties."

My objections to this bill are as follows:

This bill is intended to apply to the salaries of certain attaches of the Superior Court in the County of San Francisco. Inadvertently it has been made applicable to the County of Alameda as well. It is not desired in the County of Alameda and for that reason the author of the bill has consented to my returning it without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1792

May 15, 1951

I acknowledge receipt this fifteenth day of May, 1951, at 2.30 o'clock p.m., of Assembly Bill No. 1792 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 1792 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 14, 1951

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

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 1793, entitled "An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants."

My objections to this bill are as follows:

This bill is intended to apply to the salaries of certain attaches of the Superior Court in the Counties of San Francisco and Alameda. Inadvertently, it has been made applicable to the County of San Diego as well. It is not desired in the County of San Diego and for that reason, the author of the bill has consented to my returning it without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1793

I acknowledge receipt this fifteenth day of May, 1951, at 2.30 o'clock p.m., of Assembly Bill No. 1793 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 1793 ordered to unfinished business.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

Respectfully submitted.

ERNEST C. CROWLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Crowley.

An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

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

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

Assembly Bill No. 3431: By Mr. Crowley—An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 35: By Mr. Henderson—Relative to tariffs on wine.

Referred to Committee on Rules.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Maloney to reconsider the vote whereby Assembly Bill No 2665 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No 3075 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

ANNOUNCEMENT

Mr. Geddes announced that all members who have bills pending in the Committee on Finance and Insurance which have not been set for hearing are urged to see him at once so these bills may be set as promptly as possible.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONCURRENT RESOLUTION NO. 71

At 3.37 p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Concurrent Resolution No. 71 adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 305

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

McMILLAN, Chairman

Above reported bill ordered to second reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 988, on motion of Mr. Kelly.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 16 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Judiciary, in Room 2170.
Fish and Game, in Room 3186.

Today Upon Adjournment—

Public Health, in Room 3186.
Agriculture, in Room 2170.
Elections and Reapportionment, in Room 435.
Social Welfare, in Room 426.
Rules, in Room 319.

It was announced that the following committee would hold no meeting today:

Subcommittee on Governmental Efficiency and Economy considering Assembly Bill No. 1060.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alfred C. Shelton of Binghamton, New York.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to William J. Martell and Frank E. Curran of San Diego.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Miss Reinero and Mr. Russell, teachers, and the following pupils of Orland Joint Union High School: Gracie Erickson, Barbara Holt, Beverly Howard, Dick Keene, Daryl McGuire, Clarice Knecht, Paulla Roberds, Gerald Gallo, Ruth Young, Doris Osborn, Don Keene, Careen Forbes, Joan Cleek, Joanne Levet, Joyce Iverson, Alice Bostrom, Peggy Lou Johnson, Sophie Johnson, Dorothy Schroeder, Robin Russell, and Evelyn James.

On request of Messrs. Cooke, Tomlinson, and Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to T. B Rice of Rancho San Miquel Helendale.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Victor Baciarini of Suisun and Frank Borel of San Francisco.

On request of Messrs. Hollibaugh and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wallace Sampler of Maywood and Mr. and Mrs George De Penna of Compton.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Doris V. Hage, teacher, and the following pupils of the Fairfield School of Davis: Harvey Parke, Gary Parke, Patsy Parke, Betty Oeste, Mildred Hargis, Neva Hargis, Richard Sauers, William Pinnell, Joseph Ayres, Jay Farnsworth, Bonnie Farnsworth, Wendy Cassady, Terry Schnitter, Virginia Beoshanz, Edward Beoshanz, Sue Ann Floyd, and Sharon Floyd.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gordon Cory, Mrs. Robert Neill, Mrs. B. S. Robinson, Mrs. Laura Preston, and Leslie Lowry, adults, and the following pupils of the Geyserville High School: Rosalyn Brown, Cesare Ciatti, Eugene Buckingham, Richard Cory, Donald Domenichelli, Betty Eagle, Vesta Ford, Alexandro Gori, Melford Greenup, Joe Hagins, Dolores Mazzoni, Robert Neill, Eddie Perotti, Joe Pieroni, Betty Jo Robinson, Clifford Smalley, and Eleanor Trusendi.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Hamilton Hodgson, teacher, Mrs. Eph Zimbelmann, Mrs. Le Tay Lindeman, and Mrs. Wm. Carroll, adults, and the following pupils of the Live Oak School: Wanda Kenny, Imagene Meeks, Robinette Zimbelmann, Margaret Sloan, Norma Mills, Hazel Taylor, Pauline Flewellen, Donna Berg, Elenora Loduca, Patty Pechin, Milton Hempel, Johnny Quaschnick, Mike Lindeman, Howard Kishida, Philip Yoakum, Jun Tanimoto, Arlo Brodehl, Crayal Coblentz, Donald Pritchard, Thomas Addington, Phillip Snyder, Arthur McKelroy, and Donald Mencarini.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Seaman and Mrs. Battee, teachers, Mrs. John Laugero, Mrs. Ralph Oswald, Mrs. Marvin Hidman, Mrs. Harley Sawyer, Mrs. Clarence Peters, Mrs. Omar Ihrig, and Mrs. Michael DeRuosi, adults, and the following pupils of the Dent Union School: Karen Bishop, Donald Bonzi, Daryl Capps, Lloyd Foutch, Tommy Gibson, Michael Gonzalez, Gerry Griffith, Sheila Hanson, Evelyn Heffner, Marvin Hickman, Jerry Kerner, Ruth Knox, Jean Laugero, Vicky Lindman, Dianne McCollum, Jerry McLaughlin, Lynn Olivieri, Larry Olson, Dorothy Piccoli, Tommy Sawyer, Robert Sharp, Jack Thomas, Patsy Oswald, Eric Todd, Betty Jean Baker, Martin Barber, Ruth Bedlan, Shirley Crowe, Jimmie DeRuosi, Doraine Frisk, Eugene Fusi, Jeanie Hooper, Barbara Ihrig, Bruce King, Marlene Lial, Norvell McDonald, Rodney Peters, Deanna Puccetti, Glenda Russell, Joan Sedain, Johnny Silva, James Vaughn, Mary Ann Wolf, Jacqueline Senter, and Gerald McClanahan.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Jim Murphy, Mrs. Lima, Bettencourt, Mrs. Faria, Mrs. Machado, Mrs. Ruby Bellah, and Mr. Henning, adults, and the following pupils of the Byron Union School: Albino Ambriz, Jean Beck, Janice Bellah, Paul Bettencourt, Charles Chacon, Raymond Coelho, LaVonne Donovan, Stanley Elkins, Marjie Faria, Frank Furtado, Teresa Furtado, Peggy Heiser, Nancy Lewis, Charles Cann, Bob Machado, Elbert McCord, Marcella McCord, Larry Norick, Donald Rennels, Doris Rennels, Gloria Sani, Ernestina Santos, Leroy Schoonover, Buddy Warren, Edward Wilson, Myra Sawtelle, Gloria Murphy, Carole Warren, Pat Long, Glen Bellah, Mary Lou Refuerzo, Ellis Cecchini, Harry Geddes, Dixie Allen, Virginia Lima, Louella McDowell, and Dennis Hamlin.

ADJOURNMENT

At 3.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY

EIGHTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 16, 1951

The Assembly met at 9.30 a m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

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

Our Father, which art in Heaven,
Hallowed be Thy name

We pray today for our Nation, our President, our Governor, our Speaker, the Members of this Legislature, and all who are in authority in State and Nation Bless those who serve our Country upon the field of battle. Grant unto each one of us a consciousness of Thy Providential care. We acknowledge the teaching of Thy Holy Book—"Righteousness exalteth a Nation, but sin is a reproach to any people" We pray for a righteous victory in the conflict which has come upon us and for a just and durable peace for the days to come

"From ocean unto ocean
Our land shall own Thee Lord;
And, filled with true devotion
Obey Thy Sovereign word;
Our prairies and our mountains,
Forest and fertile field,
Our rivers, lakes and fountains,
To Thee shall tribute yield"—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lowrey, on motion of Mr. Beck.

Mr. Lipscomb, on motion of Mr. Smith.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

DEAR SIR: I am directed by the Senate to respectfully request that Senate Bill No. 949 be returned to the Senate for further action.

Very truly yours,

J. A. BEEK, Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 949 BE WITHDRAWN FROM COMMITTEE

Mrs. Niehouse asked for, and was granted, unanimous censent that Senate Bill No. 949 be withdrawn from the Committee on Social Welfare, and be returned to the desk.

Senate Bill No. 949 Returned to Senate

Senate Bill No. 949 ordered returned to the Senate by unanimous consent.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 454—An act to amend Section 737g of the Political Code and Section 79.7 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2002—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 251—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3387—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2795—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 914—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "reside", insert "or have a place of business".

Amendment No. 2

On page 1, line 10, of the printed bill, after "resides", insert "or has a place of business".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge, who shall receive eight thousand dollars ($8,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive a minimum salary of three hundred eight dollars ($308) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19) and nineteen dollars ($19) to a maximum of three hundred eighty dollars ($380), monthly and who may appoint the following:

One deputy (principal clerk) who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen dollars ($17), seventeen dollars ($17) and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

Two deputies (senior account clerk and court clerk), each of whom shall receive a minimum salary of two hundred fifty-one dollars ($251) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred eight dollars ($308) monthly;

Two deputies (intermediate clerks), each of whom shall receive a minimum salary of two hundred five dollars ($205) monthly with annual increments of ten

dollars ($10), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred fifty-one dollars ($251) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred sixty-one dollars ($361) monthly with annual increments of nineteen dollars ($19), twenty-one dollars ($21), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty-six dollars ($446) monthly, and who may appoint the following:

One deputy, who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen dollars ($17), seventeen dollars ($17), and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

One deputy (junior typist clerk) who shall receive a minimum salary of one hundred ninety-five dollars ($195) monthly with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred thirty-eight dollars ($238) monthly.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the City of Monterey, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of Carmel and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of Carmel and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge, who shall receive eight thousand dollars ($8,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive a minimum salary of three hundred eight dollars ($308) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19) and nineteen dollars ($19) to a maximum of three hundred eighty dollars ($380), monthly and who may appoint the following:

One deputy (principal clerk) who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen dollars ($17), seventeen dollars ($17) and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

Two deputies (senior account clerk and court clerk), each of whom shall receive a minimum salary of two hundred fifty-one dollars ($251) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred eight dollars ($308) monthly;

Two deputies (intermediate clerks), each of whom shall receive a minimum salary of two hundred five dollars ($205) monthly with annual increments of ten dollars ($10), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred fifty-one dollars ($251) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred sixty-one dollars ($361) monthly with annual increments of nineteen dollars ($19), twenty-one dollars ($21), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty-six dollars ($446) monthly, and who may appoint the following:

One deputy, who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen

dollars ($17), seventeen dollars ($17), and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

One deputy (junior typist clerk) who shall receive a minimum salary of one hundred ninety-five dollars ($195) monthly with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred thirty-eight dollars ($238) monthly

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2648—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "Conflicting", and insert "*Except in cases where by the law a right to a jury trial is now given, conflicting*".

Amendment No. 2

On page 2, line 15, of said bill, strike out "shall first be determined. Thereafter, in", and insert "*may be first tried. In*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2770—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 and 13, and insert "shall receive five hundred dollars ($500) per month;".

Amendment No. 2

On page 2, lines 13 and 14, of said bill, strike out "four hundred fifty dollars ($450)", and insert "five hundred dollars ($500)".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2942—An act to amend Section 586 of the Vehicle Code, relating to the prohibited places where vehicles may stop, stand or park.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 8, of the printed bill, after "authorities", insert "by ordinance".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 472 and".

Amendment No. 3

Strike out line 2 of the title of said bill, and insert "stopping, standing, or parking of vehicles."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 472 of the Vehicle Code is amended to read:

472. Curb Markings to Indicate Parking Regulations. Whenever local authorities enact local parking regulations and indicate them by the use of paint upon curbs, the following colors only shall be used and such colors indicate as follows:

(a) Red indicates no stopping, standing or parking, whether the vehicle is attended or unattended [,] *; except that a bus may stop in a red zone marked or signposted as a bus loading zone ; and except that a vehicle may stop, for the purpose of depositing mail, in a red zone marked or signposted for the purpose of permitting such deposit in a mailbox so placed that an occupant of a vehicle is able to deposit mail therein without leaving the vehicle.*

(b) Yellow indicates stopping only for the purpose of loading or unloading passengers or freight for such time as may be specified by local ordinance.

(c) White indicates stopping only for loading or unloading of passengers for such time as may be specified by local ordinance.

(d) Green indicates time limit parking specified by local ordinance.

Regulations indicated as above provided shall be effective upon such days and during such hours or times as may be prescribed by local ordinances.

SEC. 2. Section 586 of said code is amended to read:

586. Stopping, Standing or Parking Prohibited in Specified Places. No person shall stop, park or leave standing any".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, between lines 3 and 4, insert

"(i) Closing particular streets during regular school hours for the purpose of conducting automobile driver training programs in secondary schools of this State."

Amendment No. 2

On page 2, line 4, of said bill, strike out "(i)", and insert "(j)".

Amendment No. 3

On page 2, line 9, of said bill, strike out "or (h)", and insert ", (h), (i) or (j)".

Amendment No. 4

On page 2 of said bill, strike out lines 14 to 20, inclusive, and insert

"No ordinance or resolution proposed to be enacted under subdivisions (d), (e), (f), (g), (h), (i) or (j) hereof shall be effective with respect to any highway which is not under the exclusive jurisdiction of the local authority enacting the same; *provided, that as to any state highway, if prior to the enactment of such ordinance or* resolution, the legislative body of the local authority proposing to enact the same shall submit to the Department of Public Works such ordinance or resolution in complete draft form, and the said department gives its approval in writing to the application thereof to such state highways or parts thereof as the department shall specify in

said approval, then said ordinance or resolution shall upon its enactment be effective as to such State highways or parts thereof as the department shall have specified in its said approval."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, and Section 1 of an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, relating to paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in the Assembly on March 28, 1951, after "prisoner", insert "with his approval".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in the Assembly on April 6, 1951, after "exceed", strike out "five (5) days", and insert "seventy-two (72) hours".

Amendment No. 2

On page 3, lines 19 and 20, of said bill, after "said", strike out "five (5) days", and insert "seventy-two (72) hours".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "chauffeur's", and insert "operators' ".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. Section 1 of this act shall apply only to the County of Los Angeles.

SEC. 3 If any provision of this act is for any reason held to be invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2562—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 4, 1951, after "under", insert "a workmen's compensation law, or employer's liability law of this State, or of any other state, or of the Federal Government"

Amendment No. 2

On page 1, line 16, of said bill, strike out "the California Workmen's Compensation Law."

Amendment No. 3

On page 3 of said bill, strike out lines 4 to 23, both inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on March 23, 1951, strike out ", without regard to"; and in line 17, strike out "fiscal years,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2086—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 12, of the printed bill, after "dered", insert "or such agreement may provide for the rendering of services to the school district of a value not to exceed the actual cost to the school district of the services rendered".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 305—An act to add Section 172b to the Penal Code, relating to selling, giving away, or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", giving away,".

Amendment No. 2

On page 1, line 5, of said bill, after "Angeles", insert "on which the principal administrative offices of the university are located".

Amendment No. 3

On page 1, line 5, of said bill, strike out ", gives away,".

Amendment No. 4

On page 1 of said bill, strike out lines 11 to 17, inclusive.

Amendment No. 5

On page 1, line 18, of said bill, strike out "3", and insert "2".

Amendment No. 6

On page 1, line 23, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert "4".

Amendment No. 8

On page 2 of said bill, strike out lines 6 to 9, inclusive, and insert "of this section do not prohibit the transfer of any license from one premises to another within the prescribed area if the premises to which the license is transferred are not located more than 500 feet nearer to the grounds belonging to the University of California at Los Angeles than the premises from which the license is transferred, except that no license shall be transferred to any premises within an area where the sale of intoxicating liquor is prohibited by Section 172."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716 and 773 of said code, and to repeal Sections 715 and 772 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, between "716" and "and", insert ", *771*".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "and 772", and insert ", *772 and 776*".

Amendment No. 3

On page 1, line 13, of the printed bill, between "vest" and "not", insert ", *if at all,*".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of the printed bill, between lines 10 and 11, insert

"*SEC. 4. Section 771 of the Civil Code is amended to read:*

771. Suspension by trust. The suspension of all power to alienate the subject of a trust, other than a power to exchange it for other property to be held upon the same trust, or to sell it and reinvest the proceeds to be held upon the same trust, is a suspension of the power of alienation, within the meaning of section [seven hundred and fifteen] *715.1*"

Amendment No. 5

On page 2, line 11, of the printed bill, strike out "SEC. 4.", and insert

"*SEC. 5.*"

Amendment No. 6

On page 2, line 21, of the printed bill, strike out "SEC. 5. Sections 715 and 772", and insert

"*SEC. 6. Sections 715, 772 and 776*".

Amendment No. 7

On page 2 of the printed bill, immediately following line 22, insert

"SEC. 7. *This act shall not invalidate any part of any will or other instrument executed prior to the effective date of this act and any such part which would have been valid prior to said effective date shall be valid irrespective of the provisions of this act. The republication of a will executed prior to the effective date of this act by a codicil executed after said date shall not constitute execution of the will after said date within the meaning of this section. No trust heretofore or hereafter created forming part of a retirement system established pursuant to the laws of California authorizing such systems shall be deemed invalid as violating Sections 715.1 or 715.2 of this code; and the income arising from such property, real or personal, held in such trust may be permitted to accumulate until the fund is sufficient, in the opinion of the trustee or trustees thereof, to accomplish the purposes of the trust.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 19, 1951, strike out lines 3 to 24 inclusive; and, on page 2, strike out lines 1 to 14 inclusive, and insert

"1188.2. In the event the holder of any mortgage or deed of trust which otherwise would be inferior to the liens provided for in Articles 1 to 4, inclusive, of Chapter 2, Title 4, Part 3 of the Code of Civil Procedure, which liens arise out of a work of

improvement upon the property to which the mortgage or deed of trust attaches, shall procure or cause to be procured a bond with good and sufficient sureties which complies with the requirements of this section and shall file such bond in the office of the county recorder of the county in which the property is situated either concurrently with or after the filing for record of such mortgage or deed of trust, then such mortgage or deed of trust shall be prior and paramount to the liens of all persons arising out of such work of improvement for work done or materials furnished subsequent to the time such bond is filed as herein provided. Such bond, upon which either the contractor or owner may be the principal, must comply with the following requirements: (1) it must be in an amount not less than seventy-five (75) percent of the face principal amount of such mortgage or deed of trust, (2) it must refer to the mortgage or deed of trust in connection with which the bond is given, and (3) it must be conditioned for the payment in full of the claims of all persons performing labor upon or furnishing materials to be used in, or furnishing appliances, teams, or power contributing to such work of improvement, and there must be incorporated in said bond a provision by its express terms making it inure to the sole benefit of any and all persons who perform labor upon, or furnish materials to be used in, or furnish appliances, teams, or power contributing to such work of improvement, so as to give such persons a right to recover upon said bond in any suit to foreclose such liens, or in a separate suit brought on said bond

The provisions of this section shall not apply to liens provided for by Section 1184 1 of the Code of Civil Procedure, the priority of such liens being as provided by Section 1189.1 (b) of the Code of Civil Procedure."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1049—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "amend Section 1193.1 of", and insert "add Section 1193.1 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1193.1 is added to the Code of Civil Procedure to read:

1193 1. (a) Every original contractor claiming the benefit of this chapter, after the completion of his contract and within the periods of time as provided in this section, and every person, other than an original contractor, claiming the benefit of this chapter, after he has ceased to perform labor or furnish material, or both, for any work of improvement and within the periods of time as provided in this section, may file for record with the county recorder of the county in which the property is situated a claim of lien as provided in subdivision (j) of this section.

(b) Where the work of improvement is not made pursuant to one original contract for the work of improvement but is made in whole or in part pursuant to two or more original contracts each covering a particular portion of the work of improvement, the owner may within 10 days after completion of any such contract for a particular portion of the work of improvement file for record a notice of completion thereof as provided in subdivision (f) of this section. If such notice be so filed, then the original contractor under the contract covered by such notice must within 60 days after the date of filing for record such notice, and all other persons claiming the benefit of this chapter for work done or materials furnished under such contract, must within 30 days after the date of filing for record such notice, file for record his claim of lien. If such notice be not so filed, then the period for filing claims of lien shall be as provided in subdivision (c) of this section.

(c) The owner shall within 10 days after the completion of the work of improvement file for record a notice of completion as provided in subdivision (f) of this section. If such notice be so filed, then, except as to any persons who were required to file a claim of lien as provided in subdivision (b) of this section, every original contractor must within 60 days after the date of filing for record such notice, and every person, other than an original contractor, claiming the benefit of this chapter must within 30 days after the date of filing for record such notice, file for record his claim of lien. If such notice be not so filed, then, except as to any persons who were required to file for record

claims of lien as provided in subdivision (b) of this section, all persons claiming the benefit of this chapter shall have 90 days after the completion of such work of improvement within which to file their claims of lien

(d) In all cases, except as provided in subdivision (e) of this section, any of the following shall be deemed equivalent to a completion: (1) the occupation or use of a work of improvement by the owner, or his agent, accompanied by cessation from labor thereon; (2) the acceptance by the owner, or his agent, of the work of improvement, or (3) after the commencement of a work of improvement, a cessation of labor thereon for a continuous period of 60 days, or a cessation of labor thereon for a continuous period of 30 days or more if the owner files for record a notice of cessation as provided for in subdivision (h) of this section, except that the time for and manner of filing claims of lien where there has been such a cessation of labor shall be as provided in subdivision (g) and (h) of this section.

(e) If a work of improvement is of the character referred to in Section 1184 1 of this code and is subject to acceptance by any public or governmental authority, the completion of such work of improvement shall be deemed to be the date of such acceptance.

(f) The notice of completion provided for in this section shall be filed in the office of the county recorder of the county in which the property is situated, shall be signed and verified by the owner or some other person on behalf of the owner, and shall set forth the following: (1) the date of completion of such work of improvement or of such particular portion of the work of improvement, provided that the recital of an erroneous date of completion shall not affect the validity of the notice if the true date of completion is within 10 days preceding the date of filing for record such notice; (2) the name and address of such owner, (3) the nature of the interest or estate of such owner; (4) a description of the property sufficient for identification, which description shall contain the street address of such property if any such street address shall have been given to such property by any competent public or governmental authority, provided that if a sufficient legal description of the property is given in addition to a street address, the validity of the notice shall not be affected by the fact that the street address recited is erroneous; (5) the name of the original contractor, if any, for the work of improvement, or if the notice is given only of completion of a contract for a particular portion of such work of improvement as provided in subdivision (b) of this section, then the name of the original contractor under such contract, and a general statement of the kind of work done or materials furnished pursuant to such contract.

(g) If, after the commencement of a work of improvement, there shall be a cessation of labor thereon for a continuous period of 60 days, then all persons claiming the benefit of this chapter shall within 90 days from the expiration of such 60 day period file for record their claims of lien; provided that if, after there shall be a cessation of labor thereon for a continuous period of 30 days or more, the owner files for record a notice of cessation as provided in subdivision (h) of this section, every original contractor must within 60 days after the date of filing for record such notice, and every other person claiming the benefit of this chapter must within 30 days after the date of filing for record such notice, file for record his claim of lien Nothing contained in this subdivision shall, however, extend the time for the filing for record of a claim of lien required to be filed for record by reason of the filing for record prior to cessation of a notice of completion as provided in subdivision (b).

(h) The notice of cessation provided for in subdivision (g) of this section shall be filed for record in the office of the county recorder of the county in which the property is situated, shall be signed and verified by the owner or someone on behalf of the owner, and shall set forth the following: (1) the date on or about when the cessation from labor commenced; (2) a statement that such cessation continued until the giving of such notice of cessation; (3) the name and address of the owner; (4) the nature of the interest or estate of such owner; (5) a description of the property sufficient for identification, which description shall contain the street address of such property if any such street address shall have been given to such property by any competent public or governmental authority, provided that if a sufficient legal description of the property is given in addition to a street address, the validity of the notice shall not be affected by the fact that the street address recited is erroneous; (6) the name of the original contractor, if any, for the work of improvement as a whole.

(i) The word "owner" as used in subdivisions (f) and (h) of this section is hereby defined to mean the owner who caused the building, improvement, or structure, to be constructed, altered, or repaired (or his successor in interest at the date a notice of completion or cessation from labor is filed for record) whether the interest or estate of such owner be in fee, as vendee under a contract of purchase, as lessee or other interest or estate less than the fee; and where such interest or estate is held by several persons as joint tenants or tenants in common, any one or more of the co-tenants may be deemed to be the "owner" within the meaning of this section, provided, that any notice of completion or cessation from labor signed by less than all of such co-owners shall recite the names and addresses of all of such co-owners.

(j) A claim of lien filed for record by any person claiming the benefit of this chapter shall be signed and verified by the claimant or by some person on his behalf

and shall contain the following: (1) a statement of his demand after deducting all just credits and offsets; (2) the name of the owner or reputed owner, if known; (3) a general statement of the kind of work done or materials furnished by him, or both; (4) the name of the person by whom he was employed or to whom he furnished the materials; (5) a description of the property sought to be charged with the lien sufficient for identification.

(k) Any person who shall wilfully include in his claim of lien filed for record pursuant to this chapter work not performed upon, or materials, appliances or power not furnished for, the property described in such claim, shall thereby forfeit his lien."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

Strike out all of pages 2 and 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2018—An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "Office of the Con-", and insert "office of the con-".

Amendment No. 2

On page 3, line 43, of said bill, strike out the period, and insert ", but shall be under no obligation to do so unless a bond is furnished as hereinafter provided."

Amendment No. 3

On page 3, line 44, of said bill, strike out "Provided further, that if", and insert "If".

Amendment No. 4

On page 3, line 51, of said bill, strike out "to", and insert "against".

Amendment No. 5

On page 4, line 49, of said bill, strike out "such notice", and insert "the notice provided for in subsection (h)".

Amendment No. 6

On page 4, line 50, of said bill, strike out "20", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2686—An act to add Section 12215 to the Business and Professions Code, relating to county sealers of weights and measures.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1 of the printed bill, after line 7, insert "This section shall be applicable only as to off-street parking facilities having space for 20 or more motor vehicles and regularly serving the public five or more days per week.

SEC. 2. Section 1 of this act shall apply only to the County of Los Angeles.
SEC. 3. If any provision of this act is for any reason held to be invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 1248—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 1, 1951, after "harness racing and", insert ", except in counties of the first class,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 885—An act to amend Sections 922.1, 922.2, and 1591, to renumber and amend Section 922.5 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922.7, and 922.8 to, the Insurance Code, relating to financial statements of insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "renumber".

Amendment No. 2

In the second line of the title of said bill, as amended, strike out the word "and" before the word "amend", and, before the word "to", insert "*renumber it Section 922.8 and*".

Amendment No. 3

In the third line of the title of said bill, as amended, after "922.6", strike out ", 922.7,".

Amendment No. 4

In the fourth line of the title of said bill, as amended, strike out "922.8", and insert "922.7".

Amendment No. 5

On page 1, line 4, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendment No. 6

On page 1, line 17, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendment No. 7

On page 2, line 12, of said bill, as amended, strike out "unless".

Amendment No. 8

On page 2, line 30, of said bill, as amended, strike out "*or* where the reinsurer", and insert a period; and strike out lines 31 to 35, inclusive.

Amendment No. 9

On page 3, line 3, of said bill, as amended, after "reinsurance", and before the period, insert "*, or in a specific agreement between the reinsurer and the original insured or policyholder*".

Amendment No. 10

On page 3, lines 6 and 7, of said bill, as amended, strike out "922 9", and insert "922.8".

Amendment No. 11

On page 3, line 37, of said bill, as amended, after "alien", insert "reinsurer"; strike out "only"; and after "allowed", and before the colon, insert "only".

Amendment No. 12

On page 4, line 4, of said bill, as amended, strike out "only"; and after "allowed", and before the colon, insert "only".

Amendment No. 13

On page 4 of said bill, as amended, strike out lines 32 to 48, inclusive; and in line 49, strike out "922.8", and insert
"922.7".

Amendment No. 14

On page 5, line 12, of said bill, as amended, strike out "11", and insert "10".

Amendment No. 15

On page 6, line 3, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendment No. 16

On page 6, line 20, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 519—An act to add Sections 1373.1 and 1373.2 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the first line of the title of the printed bill, strike out "add Sections 1373 1 and 1373.3 to", and insert "amend Section 1198 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27; and strike out all of page 2, and insert

"SECTION 1. Section 1198 of the Insurance Code is amended to read:

1198. Excess funds investments shall not be made in purchases of or loans upon shares of the capital stock of any one corporation in an amount exceeding 25 percent of the *excess of the admitted assets of the investing insurer over the liabilities of such insurer* [capital stock and surplus of the investing insurer]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1715—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 58 of", and insert "add Section 58.1 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "58 of the Unemployment Insurance", and insert "58.1 is added to the California Unemployment Insurance Act, to read.

Sec. 58.1. Notwithstanding any other provision of this act, a female employee who leaves her employment to be married or to accompany her husband to or join him at a place from which it is impractical to commute to such employment or whose marital or domestic duties conflict with and causes her to resign from her employment shall not be eligible for benefits until she has earned wages of one hundred dollars ($100) in an employment occurring subsequent to employment which she left for such reason."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 29, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2936—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7.4", and insert "7.7".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 7.7 is added to the Unemployment Insurance Act, to read.

Sec. 7.7. Agricultural labor includes all services performed

(a) On a farm in the employ of any person:

(1) In connection with the preparation, care and treatment of farm land, including leveling, plowing, discing, and fertilizing the soil;

(2) In connection with the sowing and planting of any agricultural or horticultural commodity;

(3) In connection with the care of any agricultural or horticultural commodity. As used in this subdivision "care" includes, but is not limited to, cultivation, irrigation, weed control, thinning, heating, fumigating, spraying, and dusting;

(4) In connection with the harvesting of any agricultural or horticultural commodity. As used in this subdivision "harvesting" includes, but is not limited to, picking, cutting, threshing, knocking off, field chopping, bunching, baling, field packing, and placing in field containers or in the vehicle in which the commodity will be hauled on the farm or to the place of first processing. By way of illustration, the placing of cotton in picking bags or other containers or vehicles, the field packing of berries and table and shipping grapes, the field packing of lettuce and other vegetables, the sacking of grain and the sowing of such sacks of grain, the threshing of rice and other grains and beans, is included within the term "harvesting" as used in this subdivision;

(5) In connection with the assembly and storage of any agricultural or horticultural commodity. As used in this subdivision "assembly and storage" includes, but is not limited to, loading, roadsiding, banking, stacking, binning, piling, and hauling to the point of first processing.

(6) In connection with the raising, feeding and management of livestock, poultry and bees, including, but not limited to, herding, housing, hatching, milking, shearing, handling eggs and extracting honey.

(b) In the employ of the owner, tenant or operator of a farm:

(1) In connection with the drying, processing, packing, packaging, handling, grading, storing, freezing, transporting to delivery point, and marketing of any agricultural or horticultural commodity the major part of which was produced by such owner, tenant or operator.

(2) In connection with the operation, management, conservation, improvement or maintenance of such farm and its tools and equipment if the major part of such services are performed on a farm

(3) The provisions of paragraphs (1) and (2) are not applicable with respect to services performed in connection with commercial canning or commercial freezing operations or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption

(c) As used in this section, the term "farm" includes, among others, stock, dairy, poultry, fruit and truck farms, plantations, ranches, ranges, apiaries, orchards, vineyards, nurseries, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, between lines 16 and 17, insert
"*(d) Those provisions specifically referred to in this chapter to the extent made necessary by such reference.*"

Amendment No. 2

On page 4, line 7, of said bill, after "directors", insert "*if the board of directors is itself elected by the supreme legislative or governing body.*"

Amendment No. 3

On page 4 of said bill, strike out lines 16 and 17

Amendment No. 4

On page 4, line 18, of said bill, strike out "(1)", and insert
"*11010*".

Amendment No. 5

On page 4, line 41, of said bill, strike out "(2)", and insert
"*11011*"

Amendment No. 6

On page 5, line 9, of said bill, strike out "(3) No", and insert
"*11012. No such*".

Amendment No. 7

On page 5, lines 9 and 10, of said bill, strike out "*granted under the provisions of this section*".

Amendment No. 8

On page 5, line 21, of said bill, strike out "(4)", and insert
"*11013.*"

Amendment No. 9

On page 5, line 39, of said bill, after "insurability", insert "*meeting the established underwriting standards of the society*".

Amendment No. 10

On page 5, lines 39 and 40, of said bill, strike out "chief medical examiner of the".

Amendment No. 11

On page 6, line 10, of said bill, strike out "5", and insert
"*11014.*"

Amendment No. 12

On page 6, line 21, of said bill, strike out "(6)", and insert
"*11015.*"

Amendment No. 13

On page 6, line 29, of said bill, strike out "11011", and insert
"*11016*".

Amendment No. 14

On page 6, lines 35 and 36, strike out "11012. After one year from the effective date of this chapter", and insert
"*11017. After September 21, 1952*".

Amendment No. 15

On page 6, line 37, of said bill, after "State", insert "*as a fraternal benefit society under this chapter*".

Amendment No. 16

On page 7, line 7, of said bill, strike out "11013", and insert
"*11018*".

Amendment No. 17

On page 7, line 14, of said bill, strike out "11014", and insert
"*11019*".

Amendment No. 18

On page 7, line 32, of said bill, before "If".
"*11020.*"

Amendment No. 19

On page 7, line 32, of said bill, strike out "the" following "that", and insert "*such*".

Amendment No. 20

On page 7, line 33, of said bill, strike out "section", and insert "*chapter*".

Amendment No. 21

On page 7, line 34, of said bill, after "correct", insert "*, that under it the interests of the certificate holders of the parties are properly protected*".

Amendment No. 22

On page 7, line 45, of said bill, strike out "it has been approved by"; and strike out all of lines 46, 47, and 48, inclusive, and insert "*the supervising insurance official of such state or territory has advised the commissioner that he has no objection to such consolidation or merger.*"

Amendment No. 23

On page 7, line 49, of said bill, before "Upon", insert
"*11021.*"

Amendment No. 24

On page 7, lines 49 and 50, of said bill, strike out "as herein provided".

Amendment No. 25

On page 8, line 3, of said bill, strike out "shall", and insert "*may*".

Amendment No. 26

On page 8, line 10, of said bill, strike out "The affidavit", and insert
"*11022. The affidavit*".

Amendment No. 27

On page 8, line 15, of said bill, strike out "11015", and insert
"*11023*".

Amendment No. 28

On page 8, line 20, of said bill, after "society", insert "*in accordance with its established underwriting standards*".

Amendment No. 29

On page 8, line 25, of said bill, before "Any", insert "11024."; and after "admitted", insert "*to benefit membership in such society*".

Amendment No. 30

On page 8, line 30, of said bill, strike out "A society may also accept".

Amendment No. 31

On page 8, line 31, of said bill, before "general", insert
"*11025. A society may accept*".

Amendment No. 32

On page 8, line 33, of said bill, strike out "11016", and insert
"*11026*".

Amendment No. 33

On page 8, line 47, of said bill, before "No", insert "*11027.*"

Amendment No. 34

On page 9, line 10, of said bill, before "Within", insert "*11028.*"

Amendment No. 35

On page 9, line 19, of said bill, before "Every", insert "*11029.*"

Amendment No. 36

On page 9, line 23, of said bill, before "Printed", insert "*11030.*"

Amendment No. 37

On page 9, line 27, of said bill, strike out "11017. It shall be lawful for a society to", and insert "*11031. A society may*".

Amendment No. 38

On page 9, line 36, of said bill, before "Maintenance", insert "*11032.*"

Amendment No. 39

On page 9, line 41, of said bill, strike out "11110 of this chapter", and insert "*11120*".

Amendment No. 40

On page 9 of said bill, after line 47, insert

"*11033. A society maintaining special funds of the nature set forth in Section 11122 may make payments from such funds to its members compatible with the type thereof, provided that if such payments are of such a nature that they could constitute benefits within the classes of insurance set forth in Section 11041, the society making such payments may not:*

(a) Make any separate charge therefor.

(b) Promise to make such payments in its constitution, by-laws, certificates or any other document or advertise such payments as insurance payments or as payments to which the member has any vested right.

No such special funds shall be an admitted asset of the society for insurance purposes. The society shall maintain a separate accounting of any disbursements under this section and report them in its annual statement."

Amendment No. 41

On page 10 of said bill, strike out lines 8 to 21, inclusive, and insert

"*11041. An admitted society may, by the issuance of certificates, provide for its payment to its members of insurance benefits contained within the following classes:*

(a) All forms of life insurance as defined in Section 101.

(b) All forms of disability insurance as defined in Section 106, except benefits for loss of time as a result of disease occurring after the sixty-fifth birthday of the member.

Except as otherwise provided in this chapter, such benefits may be paid in any manner compatible with their nature If such certificate constitutes a funeral insurance contract as defined in Chapter 3 of this part, such certificate must comply with such chapter."

Amendment No. 42

On page 10, line 25, of said bill, after "age", insert "*and under the minimum age for adult membership under the laws of the society*".

Amendment No. 43

On page 10, line 28, of said bill, strike out "of this chapter".

Amendment No. 44

On page 10, lines 50 and 51, of said bill, strike out "one year from the effective date of this chapter", and insert "*September 21, 1952*".

Amendment No. 45

On page 10, line 52, of said bill, strike out "commissioners", and insert "*Commissioners*".

Amendment No. 46

On page 11, lines 21 and 22, of said bill, strike out "one year from the effective date of this chapter", and insert "*September 21, 1952*".

Amendment No. 47

On page 11, line 23, of said bill, strike out "commissioners", and insert "*Commissioners*".

Amendment No. 48

On page 12, line 5, of said bill, before "All", insert "*11061.*"

Amendment No. 49

On page 12, line 8, of said bill, before "Any", insert "*11062.*"

Amendment No. 50

On page 12, line 19, of said bill, before "Copies", insert *11063.*"; and strike out "this section", and insert "*Sections 11060 and 11062*".

Amendment No. 51

On page 12, line 22, of said bill, before "A", insert "*11064.*"

Amendment No. 52

On page 12, line 30, of said bill, before "Every", insert "*11065.*"

Amendment No. 53

On page 12 of said bill, strike out lines 36 and 37, and insert "*11066. After September 21, 1952, no life insurance benefit*".

Amendment No. 54

On page 12, line 42, of said bill, after "shall", insert "*have a title clearly and correctly describing its form on the face and filing back and*".

Amendment No. 55

On page 12 of said bill, strike out lines 49 and 50

Amendment No. 56

On page 12, line 51, of said bill, strike out "(b)", and insert "*(a)*".

Amendment No. 57

On page 13, line 4, of said bill, strike out "The word", and strike out all of lines 5, 6, and 7.

Amendment No. 58

On page 13, line 8, of said bill, strike out "(c)", and insert "*(b)*".

Amendment No. 59

On page 13, lines 12 and 13, of said bill, strike out ", but in case the certificate becomes a claim", and insert ". *However such certificate may provide that in case a claim is filed*".

Amendment No. 60

On page 13, line 16, of said bill, strike out "(d)", and insert "*(c)*".

Amendment No. 61

On page 13, line 30, of said bill, strike out "(e)", and insert "*(d)*".

Amendment No. 62

On page 13, line 40, of said bill, strike out "(f)", and insert "*(e)*".

Amendment No. 63

On page 13, line 47, of said bill, strike out "(g)", and insert "*(f)*".

Amendment No. 64

On page 13, lines 49 and 50, of said bill, strike out "three years from the effective date of this code", and insert "*September 21, 1954*".

Amendment No. 65

On page 14, line 6, of said bill, strike out "(h)", and insert "*(g)*".

Amendment No. 66

On page 14, line 14, of said bill, strike out "(i)", and insert "*(h)*".

Amendment No. 67

On page 14, line 32, of said bill, strike out "(j)", and insert "*(i)*".

Amendment No. 68

On page 14, line 45, of said bill, strike out "(k)", and insert "*(j)*".

Amendment No. 69

On page 15, line 3, of said bill, after the period, insert "*The word 'premium' as used in this section means premiums, rates or other required contributions, by whatever name known.*"

Amendment No. 70

On page 15 of said bill strike out all of line 4; and in line 5, strike out "no life insurance benefit, pure endowment or annuity", and insert
"*11067. After September 21, 1952 no life insurance benefit*".

Amendment No. 71

On page 15 of said bill, strike out lines 27 and 28, and insert
"*11068. After September 21, 1954 no life insurance benefit*".

Amendment No. 72

On page 15, line 33, of said bill, strike out "11062", and insert
"*11069*".

Amendment No. 73

On page 16, line 10, after the period, insert "*All rules and regulations made, altered or superseded by the commissioner pursuant to the authority granted in this section shall be in accordance with Chapter 4 of Part 2, Division 3, Title 2 of the Government Code.*"

Amendment No. 74

On page 16 of said bill, strike out line 11; and in line 12, strike out "chapter", and insert
"*11070. After September 21, 1954*".

Amendment No. 75

On page 16, line 15, of said bill, strike out "11064", and insert
"*11071*".

Amendment No. 76

On page 16, line 21, of said bill, strike out "11065", and insert
"*11072*".

Amendment No. 77

On page 16 of said bill, strike out lines 39 to 50, inclusive, and insert
"*11090. Societies which on the effective date of this chapter are authorized to transact business in this State may continue such business until July 1, 1952. The authority of such societies and all societies receiving certificates of authority after the effective date of this chapter may be renewed annually, but in all such cases to terminate on the first day of each succeeding July However, a certificate of authority so issued shall, if a proper renewal application is filed with the Commissioner before the June 15th preceding the period for which the renewal is sought, continue in full force and effect until the new license is issued or specifically refused. For filing an application for each certificate of authority or renewal thereof the society shall pay to the Commissioner twenty dollars ($20) A duly certified copy or duplicate of such certificate of authority shall be prima facie evidence that the holder is a fraternal benefit society within the meaning of this chapter.*"

Amendment No. 78

On page 16, line 52, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 79

On page 17, line 1, of said bill, strike out "be licensed", and insert "*receive a certificate of authority*".

Amendment No. 80

On page 17, line 2, of said bill, after "upon" insert "*a showing that its assets are invested in accordance with the provisions of this chapter and*"

Amendment No. 81

On page 17, line 8, of said bill, strike out "11096", and insert
"*11104*".

Amendment No. 82

On page 17, line 15, of said bill, strike out "11112", and insert
"*11133*".

Amendment No. 83

On page 17 of said bill, strike out lines 23 and 24.

Amendment No. 84

On page 17 of said bill, strike out line 32, and insert
"*11092. The commissioner shall act as prescribed in Section 11093 when upon investigation he finds*".

Amendment No. 85

On page 17, line 39, of said bill, strike out "or more".

Amendment No. 86

On page 17 of said bill, strike out lines 43 to 45, inclusive, and insert

"*11093. If the commissioner finds that any of the conditions set forth in Section 11092 exist in respect to a domestic society, he shall, in an order to show cause, notify the society of his findings and the manner in which such acts have occurred and shall set a date after a reasonable period of time on which it shall show cause why it*"

Amendment No. 87

On page 18, line 5, of said bill, strike out "officers of the".

Amendment No. 88

On page 18 of said bill, strike out lines 9 to 13, inclusive, and insert

"*11094. If the court orders the society enjoined, the commissioner shall suspend its certificate of authority. Thereafter such society shall have no authority to do business in this State until:*

(a) The commissioner finds that the overt act or violation complained of has been corrected;

(b) The costs of such action, if any, have been paid by the society;

(c) The court has dissolved its injunction; and

(d) The commissioner has reinstated the certificate of authority."

Amendment No. 89

On page 18, line 14, of said bill, before "If", insert

"*11095.*"

Amendment No. 90

On page 18, line 15, of said bill, strike out "buisness", and insert "*business*".

Amendment No. 91

On page 18 of said bill, strike out lines 21 to 25, inclusive.

Amendment No. 92

On page 18 of said bill, strike out line 26, and insert

"*11096. The provisions of Sections 11093 to 11095 relating to hearing by the*".

Amendment No. 93

On page 18 of said bill, strike out line 31, and insert

"*11097. The commissioner shall act as prescribed in Section 11098 when upon investigation he finds*".

Amendment No. 94

On page 18 of said bill, strike out lines 40 to 42, inclusive; and in line 43 strike out "license", and insert

"*11098. If the commissioner finds that any of the conditions set forth in Section 11097 exist in respect to a foreign or alien society, he shall, in an order to show cause, notify the society of his findings and the manner in which such acts have occurred and shall set a date after a reasonable period of time on which it shall show cause why its certificate of authority*".

Amendment No. 95

On page 18, line 47, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 96

On page 19 of said bill, between lines 2 and 3, insert

"*11099. The provisions of Article 14, Chapter 1, Part 2, Division 1 of this code shall be applicable to any society except as otherwise provided in this chapter.*"

Amendment No. 97

On page 19, line 3, of said bill, strike out "11095. (1)", and insert

"*11100.*"

Amendment No. 98

On page 19 of said bill, strike out line 6; and in line 7, strike out "(4) hereof", and insert

"*11101. Except as otherwise provided in Sections 11102 and 11103*".

Amendment No. 99

On page 19, line 15, of said bill, strike out "(3)", and insert

"*11102.*"

Amendment No. 100

On page 19, line 19, of said bill, strike out "*(i)*" and "(ii)", and insert "*(1)*" and "*(2)*", respectively.

Amendment No. 101

On page 19, line 22, strike out "subsection (2) hereof, and (iii)", and insert "*Section 11101, and (3)*".

Amendment No. 102

On page 19, line 28, of said bill, strike out "subdivision of".

Amendment No. 103

On page 19, line 29, of said bill, strike out "(3)".

Amendment No. 104

On page 19, line 30, of said bill, strike out "subsection (2)", and insert "*Section 11101*".

Amendment No. 105

On page 19, line 44, of said bill, strike out "(4) The", and insert
"*11103. Insofar as his license to represent a fraternal benefit society is concerned the*".

Amendment No. 106

On page 20, line 19, of said bill, strike out "11096", and insert
"*11104*".

Amendment No. 107

On page 20, line 24, of said bill, strike out "or", and insert "*on*".

Amendment No. 108

On page 20, line 31, of said bill, before "Service", insert
"*11105*".

Amendment No. 109

On page 20, line 32, of said bill, insert "a comma" after "deputy".

Amendment No. 110

On page 20, line 45, of said bill, strike out "11097", and insert
"*11106*".

Amendment No. 111

On page 20 of said bill, between lines 48 and 49, insert
"*11107. A fraternal benefit society, its members, employees, agents, delegates, directors and officers by whatever name known are subject to Sections 12923 and 12924 of this code.*"

Amendment No. 112

On page 20, line 49, of said bill, strike out "11098" and "or", and insert "*11108*" and "*and*", respectively.

Amendment No. 113

On page 20, line 52, of said bill, strike out the semicolon, and insert a comma; and strike out the comma after "provided".

Amendment No. 114

On page 21 of said bill, between lines 28 and 29, insert
"*11109. On such conversion:*
(a) Except as provided in (b) hereof all funds, assets and liabilities of any nature which theretofore were the funds, assets or liabilities of such society shall become the funds, assets and liabilities of such mutual life insurance company. In determining whether such mutual life insurance company meets the minimum capital and surplus requirements of this code, the commissioner shall consider such funds to be those of such mutual life insurance company Such conversion shall likewise extinguish the assessment liability, if any, of the members, certificate holders or beneficiaries of such society.
(b) If by reason of any contract right in any member, certificate holder or beneficiary which exists on the effective date of this chapter, the transfer of such funds or assets would violate such right then the assets or funds as to which such contract right pertains shall be segregated and held to discharge the liabilities of such mutual life insurance company to the persons entitled thereto. In this case such separate funds shall not be considered by the commissioner in determining if such society meets minimum capital and surplus requirements, and the assessment liability, if any, of such member, certificate holder or beneficiary is not extinguished."

Amendment No. 115

On page 21, line 29, of said bill, strike out "11099", and insert
"*11110*".

Amendment No. 116

On page 21, line 36, of said bill, strike out "11110. (1)", and insert "*11120.*"

Amendment No. 117

On page 21, line 46, of said bill, strike out "subsection", and insert "*Section*".

Amendment No. 118

On page 21, line 47, of said bill, strike out "subsection (2) hereof", and insert "*Section 11121*".

Amendment No. 119

On page 21, line 48, of said bill, strike out "(2)" and "subsection (1) hereof", and insert "*11121.*" and "*11120*", respectively.

Amendment No. 120

On page 22, line 2, of said bill, strike out "if", and insert "*of*".

Amendment No. 121

On page 22, line 7, of said bill, strike out "(3)", and insert "*11122.*"

Amendment No. 122

On page 22, line 13, of said bill, strike out "(4)", and insert "*11123.*"

Amendment No. 123

On page 22, line 17, of said bill, strike out "purpose", and insert "*purposes*".

Amendment No. 124

On page 22, line 18, of said bill, strike out "(5)", and insert "*11124.*"

Amendment No. 125

On page 22, line 23, of said bill, strike out "11111 (1)", and insert "*11125.*"

Amendment No. 126

On page 22, line 25, of said bill, strike out "nonassessible", and insert "*nonassessable*".

Amendment No. 127

On page 22, line 29, of said bill, strike out "(2)", and insert "*11126.*"

Amendment No. 128

On page 22, line 34, of said bill, strike out "(3)", and insert "*11127.*"

Amendment No. 129

On page 22, lines 38 and 39, of said bill, strike out "subsection (4) hereof", and insert "*Section 11128*".

Amendment No. 130

On page 22, line 40, of said bill, strike out "(4)", and insert "*11128.*"

Amendment No. 131

On page 22, lines 40 and 41, of said bill, strike out "subsection (3) hereof", and insert "*Section 11127*".

Amendment No. 132

On page 22, line 47, of said bill, strike out "11112", and insert "*11133*".

Amendment No. 133

On page 23, line 3, of said bill, strike out "(5)", and insert "*11129.*"

Amendment No. 134

On page 23, line 4, of said bill, strike out "subsection (3)", and insert "*Section 11127*".

Amendment No. 135

On page 23, line 5, of said bill, strike out "subsections (3) and (4)", and insert "*Sections 11127 and 11128*".

Amendment No. 136

On page 23, line 6, of said bill, strike out "(6)", and insert "*11130.*"

Amendment No. 137

On page 23, line 7, of said bill, strike out "subsection (3)", and insert "*Section 11127*".

Amendment No. 138

On page 23, line 12, of said bill, strike out "11112", and insert "*11131*".

Amendment No. 139

On page 23, line 26, of said bill, strike out "every", and insert "*any*".

Amendment No. 140

On page 23, line 32, of said bill, strike out "(2)", and insert "*11132.*"

Amendment No. 141

On page 23, line 39, of said bill, strike out "(3)", and insert "*11133.*"

Amendment No. 142

On page 24, line 16, of said bill, strike out "(4)", and insert "*11134*"

Amendment No. 143

On page 24, lines 48 and 49, of said bill, strike out "preceding paragraph", and insert "*first paragraph of this section*".

Amendment No. 144

On page 25, line 1, of said bill, strike out "(5)", and insert "*11135.*"

Amendment No. 145

On page 25, line 5, of said bill, strike out "(6)", and insert "*11136.*"

Amendment No. 146

On page 25, line 7, of said bill, strike out "department of insurance", and insert "*insurance supervisory official*".

Amendment No. 147

On page 25, line 11, of said bill, strike out "one year after the effective date of this chapter", and insert "*September 22, 1952*".

Amendment No. 148

On page 25, lines 16 and 17, of said bill, strike out "one year from the effective date of this chapter", and insert "*September 21, 1952*".

Amendment No. 149

On page 25, line 32, of said bill, before "1937", insert "*the*".

Amendment No. 150

On page 25, line 35, of said bill, strike out "III", and insert "*3*".

Amendment No. 151

On page 25, line 36, of said bill, before "be", insert "*shall*"

Amendment No. 152

On page 25, line 45, of said bill, after "certificates", insert "__"; and strike out "III" and insert "3".

Amendment No. 153

On page 26, line 5, of said bill, strike out "accordance", and insert "*according*"

Amendment No. 154

On page 26 of said bill, strike out line 7, and insert "*tional reserves when in his judgment deemed necessary on*".

Amendment No. 155

On page 26, line 9, of said bill, strike out "(6)".

Amendment No. 156

On page 26, line 10, of said bill, strike out "(6)".

Amendment No. 157

On page 26, line 11, of said bill, strike out "commissioner of insurance", and insert "*insurance supervisory official*".

Amendment No. 158

On page 26, line 16, of said bill, strike out "11113", and insert "*11137*".

Amendment No. 159

On page 26, line 40, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 160

On page 26, line 41, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 161

On page 26, line 42, of said bill, strike out "11114", and insert "*11138*".

Amendment No. 162

On page 27, line 12, of said bill, after "examiners", insert a comma.

Amendment No. 163

On page 27, line 15, of said bill, strike out "11115", and insert "*11139*".

Amendment No. 164

On page 27, line 18, of said bill, strike out "11117", and insert "*11141*".

Amendment No. 165

On page 27, line 28, of said bill, strike out "11113", and insert "*11137*".

Amendment No. 166

On page 27, line 32, of said bill, strike out "11116", and insert "*11140*".

Amendment No. 167

On page 27, line 48, of said bill, strike out "1117", and insert "*11141*".

Amendment No. 168

On page 27, line 51, of said bill, strike out "a".

Amendment No. 169

On page 28, line 6, of said bill, strike out "1118", and insert "*11142*".

Amendment No. 170

On page 28, line 8, of said bill, strike out "(1)", and insert "*(a)*".

Amendment No. 171

On page 28, line 14, of said bill, strike out "(2)", and insert "*(b)*".

Amendment No. 172

On page 28, line 17, of said bill, strike out "(3)", and insert "*(c)*".

Amendment No. 173

On page 28, line 21, of said bill, before "A", insert "*11143.*"

Amendment No. 174

On page 28, line 27, of said bill, strike out the semicolon, and insert a period.

Amendment No. 175

On page 28, line 29, of said bill, strike out "or", and insert "*11144 A comparison of insurance contracts is incomplete*".

Amendment No. 176

On page 28, line 35, of said bill, before "In", insert "*11145.*"

Amendment No. 177

On page 28, line 39, of said bill, before "Any", insert "*11146.*"; and strike out "this section", and insert "*Sections 11142 to 11145*".

Amendment No. 178

On page 28 of said bill, after line 44, insert

"Article 8. Violations and Penalties

11160. Compensation shall not be paid to any employee or officer by whatever name known of either of the parties to any contract of merger, consolidation or reinsurance for directly or indirectly aiding in effecting such contract. Except as fully expressed in such contract or itemized statement of expenses approved by the supervising

insurance authorities, compensation for negotiating, aiding or promoting such a consolidation, merger or reinsurance shall not be paid to any person.

11161. Any person violating Section 11160 is guilty of a felony and punishable by a fine not exceeding five thousand dollars ($5,000) or imprisonment in the state prison not exceeding five (5) years, or both.

11162. It is a felony for any officer, director, agent or employee of any fraternal benefit society to, directly or indirectly, for himself or as partner or agent of others:

(a) Borrow any of the funds of such society.

(b) Become indorser or surety for loans by the society to others.

(c) In any manner be obligor for moneys borrowed or loaned by such society.

11163. It is a felony for any officer, trustee, agent or employee of a fraternal benefit society to ask, receive, or consent or agree to receive anything of value for procuring or endeavoring to procure a loan to any person from the trust funds of, or funds belonging to, a fraternal benefit society.

11164. Any person not authorized pursuant to Section 11013 who solicits membership for, or in any manner assists in procuring membership in, any nonadmitted fraternal benefit society is guilty of a misdemeanor and punishable by fine not less than fifty dollars ($50) nor more than two hundred dollars ($200).

11165. Any person who knowingly or wilfully makes any false or fraudulent statement or representation in or with reference to any application for membership, or for the purpose of obtaining money or benefit from any fraternal benefit society is guilty of a misdemeanor and punishable by fine not less than one hundred dollars ($100) nor exceeding five hundred dollars ($500), or imprisonment in the county jail not less than 30 days nor exceeding one year, or both."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 91—An act to add Section 11656.6 to the Insurance Code, relating to group workmen's compensation policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "Section 11656.6", and insert "Sections 11656.6, 11656.7, and 11656.8".

Amendment No. 2

On page 1, line 10, of said bill, after "issue a", insert "workmen's compensation".

Amendment No. 3

On page 2, line 1, of said bill, after "its", insert "regular".

Amendment No. 4

On page 2, line 26, of said bill, strike out "of the fol-", strike out lines 27 to 31, inclusive; and in line 32, strike out "dening", and insert "of the classifications of the Manual of Rules, Classifications and Basic Rates of Workmen's Compensation Insurance approved by the Insurance Commissioner as applicable to farms; nurserymen; cultivating or gardening of flowers".

Amendment No. 5

On page 3, line 1, of said bill, after "SEC. 2.", insert "Section 11656.7 is added to said code, to read:

11656.7."

Amendment No. 6

On page 3, line 14, of said bill, after "SEC. 3 ", insert "Section 11656 8 is added to said code, to read:

11656 8."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 638—An act to amend Sections 50¾ and 57½ of the Public Utilities Act, and to amend Section 1906 of, and to add Section 1073 to, the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1736—An act to add Section 545 to the Municipal Utility District Act and Section 12106 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency hereof to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 458—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Bill read second time, and ordered to third reading.

Senate Bill No. 272—An act to amend Section 12155 of the Revenue and Taxation Code, relating to the taxation of marine insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 742—An act to add Section 13077 to the Government Code, relating to contracts between a nonprofit corporation or foundation and an educational institution maintained in whole or in part by state appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1589—An act to amend Sections 25008 and 25102 of the Corporation Code, relating to securities.

Bill read second time, and ordered to third reading.

Senate Bill No. 739—An act to amend Sections 18632, 18633, and 18634 of the Business and Professions Code, continuing in existence the Athletic Commission Fund in the State Treasury, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 980—An act to add Article 11, comprising Sections 20621 and 20622, to Chapter 2 of Division 10 of the Education Code, relating to state college police.

Bill read second time, and ordered to third reading.

Senate Bill No. 393—An act to repeal Section 6006 of the Government Code, relating to newspapers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 11, and insert "the effective date of this act."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1026—An act to add Section 6102.5 to the Government Code and to repeal Section 4295a of the Political Code, relating to fees for official services.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6102.5", and insert "6103.1".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6102.5", and insert "6103.1".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert
"6103.1 Section 6103 does not apply to any fee or charge for official services required by Parts 3 and 4 of Division 2 of the Water Code".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 5, of the printed bill, after "racing", insert "only, except that at such harness meetings, the licensee may run one or more quarter horse races as approved by the board"

Amendment No. 2

Strike out all of lines 17 to 21, inclusive, and insert "harness races and also authorizes quarter horse races in addition to the customary number of harness races but because of language inadvertently placed in the law in the 1949 Session of the Legislature legal uncertainty has developed as to whether this provision of the law can be put into effect thereby preventing carrying out the intent of the Legislature in permitting quarter horse racing with harness racing. It has been demonstrated that programs of harness races with quarter horse races are popular and that such mixed programs would".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1808—An act to amend Sections 10270.7 and 10270.4 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Senate on April 26, 1951, strike out "Sections 10270.7 and 10270.8(b)", and insert "Section 10270.7 and Subdivision (b) of Section 10270.8".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 143—An act to amend Section 5075 and to add Sections 5076.1 and 5076.2 to the Penal Code, relating to the Adult Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 21, 1951, strike out "Sections", and insert "Section".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "and 5076.2".

Amendment No. 3

On page 1, line 28, of said bill, strike out "Two", and insert
"The Adult Authority may meet and transact business in panels. Each Adult Authority panel shall consist of at least two members of the authority. Two".

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 5

On page 2, line 6, of said bill, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 61: By Mr. Chapel—Relative to approving amendments to the charter of the City of Redondo Beach, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 2261

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 1360
Assembly Bill No. 1877

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 87
Senate Bill No. 209
Senate Bill No. 526
Senate Bill No. 646
Senate Bill No. 1549

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 723
Assembly Bill No. 805
Assembly Bill No. 1658
Assembly Bill No. 1783

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

BROWN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 146
Assembly Bill No. 147
Assembly Bill No. 149
Assembly Bill No. 150
Assembly Bill No. 151
Assembly Bill No. 152
Assembly Bill No. 153
Assembly Bill No. 154
Assembly Bill No. 156
Assembly Bill No. 157
Assembly Bill No. 165
Assembly Bill No. 195
Assembly Bill No. 196
Assembly Bill No. 197
Assembly Bill No. 198
Assembly Bill No 199
Assembly Bill No. 200
Assembly Bill No. 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 205
Assembly Bill No 1512
Assembly Bill No. 1893
Assembly Bill No. 2378
Assembly Bill No. 2436
Assembly Bill No. 2437
Assembly Bill No. 2807

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 883

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

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Senate Constitutional Amendment No. 26

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Assembly Bill No. 297
Assembly Bill No. 355
Assembly Bill No. 3403

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

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

Senate Bill No. 149
Senate Bill No. 301
Senate Bill No. 644
Senate Bill No. 693
Senate Bill No. 1077

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 301—An act to amend Section 9809 of the Education Code, relating to the computation of excess cost of educating mentally retarded pupils.

Referred to Committee on Education.

Senate Bill No. 644—An act to amend Sections 12130.1 and 12131.2 of the Education Code, relating to the standards for provisional credentials authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Referred to Committee on Judiciary.

Senate Bill No. 1077—An act to amend Section 13093 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 15, 1951

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

GREETINGS: I am returning without my signature

Assembly Bill No. 3386 entitled: "An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes."

My objections to this bill are as follows:

This bill provides that in the event of any failure to file a return under the Sales or Use Tax Law for any reason other than fraud or an intent to evade, any determination pursuant to the article shall be mailed within three years of the time for which the determination is made This in effect establishes a statute of limitations on claims by the State for taxes where the taxpayer has failed to file a return, except in those cases where the failure is due to a fraudulent intent to evade the payment of the tax.

I have received serious objections to this bill from the Attorney General, the Board of Equalization, and the Department of Finance. Its provisions interpreted in connection with existing law establish a premium on not filing a return and make the position of the taxpayer who has not filed better than the position of a taxpayer who files his return late. Existing law provides a statute of limitations of three years from and after the time of the filing of the return. Thus, if a taxpayer should file his return two years late, the statute of limitations would not run until five years after the accrual of the tax; whereas, if he did not file a return at all, the statute of limitations would run three years after the date that the tax became due. This would result in a longer period of limitations for the taxpayer who filed a return than for the taxpayer who did not; thus placing a premium on not filing returns.

It is pointed out by the Attorney General that this result would introduce an absurdity into our law. The Board of Equalization calls attention to the fact that this would give an advantage to the person who fails to file a return over a person who complies with his obligation, even though belatedly, and that this seems to be an utterly unreasonable and unsound provision and tends toward placing a premium on the avoidance of a statutory duty.

It is pointed out by the Director of Finance that this encourages failure to file a return, inasmuch as the person who fails to file a return merely risks a penalty and interest charge against the chance that his books will not be audited within the period of limitations.

In the second place, this measure introduces a change into our existing law, although it recites that it does not do so. Both the Attorney General and the Board of Equalization point out clearly that the measure, despite its recital, introduces a decided change into our existing law The existing law does not provide any period of limitations to protect the taxpayer who fails to file any return at all. The Board of Equalization reports that the period of limitations prescribed by this bill is new and not contained in existing law, despite the recital of the bill to the contrary

In the third place, the measure would result in a loss of revenue to the State The Director of Finance reports that he estimates that if this bill becomes law, the General Fund will lose at least $500,000 annually Between $500,000 and $600,000 of audit assessments are now being made, which would be outlawed under this bill. He further points out that if this bill can be validly applied retroactively to assessments already made, it would be necessary to vacate assessments totalling approximately $333,000.

In the fourth place, this bill is objectionable in that it provides a protection to non-filing taxpayers that is not extended in the case of any other self-assessed tax imposed by the State The Attorney General states that there is no similar provision in the federal income tax statute. He also points out that in none of the other self-assessed taxes imposed by the State is there any statute of limitations in the case of

failure to file a return. This is true of the motor vehicle fuel license tax, the use fuel tax, the motor vehicle transportation license tax, the gift tax, the personal income tax, the bank and corporation franchise tax, the corporation income tax, and the tax imposed in the Alcoholic Beverage Control Act.

It should also be noted, as has been pointed out by the Board of Equalization, that that board has sponsored a measure establishing a statute of limitations in the cases outlined by this law, but without the objectionable features which have been designated. The measure which has been introduced by the Board of Equalization establishes a period of limitations of eight years in the case of failure to make a return.

A measure similar to this reached me in 1949. I refer to Assembly Bill No. 2308. This measure was introduced with the sponsorship of the Board of Equalization for the purpose of providing a statute of limitations of eight years for sales and use taxes under the circumstances described by this bill. Assembly Bill No. 2308 was amended in the course of its passing two years ago, to provide a five year period of limitation. When the objections similar to those to which I have referred in this message were called to the attention of the author of that measure, he concurred in a request that the bill should be vetoed.

For the reasons that I have stated, I am returning the bill without my signature.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, May 16, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 3386** entitled: "An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 4.05 o'clock p.m. on the fifteenth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 3386

I acknowledge receipt this fifteenth day of May, 1951, at 4.05 o'clock p.m. of Assembly Bill No. 3386 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 3386 ordered to unfinished business.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 755?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "two city streets, or".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, as amended, strike out "both said city streets, or of".

Amendment No. 3

On page 1, line 23, of said bill, as amended, after the period, insert "If any city street which has become a portion of the State Highway System pursuant to this section ceases to be a one-way street because the ordinance declaring such street to be a one-way street is rescinded, repealed, revoked, or amended, such city street, or the portion thereof that is no longer restricted to one-way traffic, shall by operation of law revert to the status of a city street and cease to be a portion of the State Highway System."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 755 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59

NOES—None.

Assembly Bill No 755 ordered enrolled.

Assembly Bill No. 2909—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed abatement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2909?

Amendment No. 1

In line 3 of the title of the printed bill, after "3", insert ", Title 4".

Amendment No. 2

In line 4 of the title of said bill, after "weed", insert "and rubbish".

Amendment No. 3

On page 2, line 10, of said bill, strike out the second "and", and insert "are".

Amendment No. 4

On page 2, line 23, of said bill, after "3", insert ", Title 4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2909 by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—59.

NOES—None.

Assembly Bill No 2909 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1560

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman.

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 710
Assembly Bill No. 971
Assembly Bill No. 3326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 210
Senate Bill No. 365
Senate Bill No. 572

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

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 766

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 424

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1775

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

BROWN, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 59—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 59?

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "and".

Amendment No. 2

On page 2 of said bill, strike out lines 5 to 8, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 59 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—55.
NOES—None.

Assembly Concurrent Resolution No. 59 ordered enrolled.

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5309, 5310, 5315, 5709, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5907, 5909, and 5910 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5908, and 5950 of said code; and add Sections 5313, 5906, 5908, 5908.5, and 5950 to said code; and to amend the titles of Chapter 7, and Article 1 of Chapter 7, of Part 4 of Division 4 of said code, all relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 911?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 3, 1951, after "5908.5", insert "5911,".

Amendment No. 2

On page 2, line 20, of said bill, as amended, after "order", insert "a commissioner or a referee".

Amendment No. 3

On page 3, line 39, of said bill, as amended, after "5900", insert "(a)".

Amendment No. 4

On page 3 of said bill, as amended, between lines 46 and 47, insert

"(b) At any time within 60 days after the filing of an order, decision, or award made by a commissioner or a referee and the accompanying report, the commission may, on its own motion, grant reconsideration."

Amendment No. 5

On page 5, line 3, of said bill, as amended, before "upon its own motion", insert "having granted reconsideration".

Amendment No. 6

On page 5, line 4, of said bill, as amended, after "may", insert ", with or without further proceedings and with or without notice".

Amendment No. 7

On page 5 of said bill, as amended, strike out all of lines 15 and 16, and insert "affirm, rescind, alter or amend the order, decision, or award made and filed by a commissioner or referee and may, without further proceedings, without notice, and without setting a time and place for further hearing, enter its findings, order, decision, or award based upon the record in the case."

Amendment No. 8

On page 5 of said bill, as amended, after line 48, insert

"SEC. 27. A new section 5911 is added to said code, to read:

5911. Nothing contained in this article shall be construed to prevent the commission, on petition of an aggrieved party or on its own motion, from granting reconsideration of an original order, decision, or award made and filed by the commission or a panel thereof, within the same time specified for reconsideration of an original order, decision, or award made and filed by a commissioner or a referee."

Amendment No. 9

On page 6, line 1, of said bill, as amended, strike out "27", and insert "28".

Amendment No. 10

On page 6, line 2, of said bill, as amended strike out "28", and insert "29".

Amendment No. 11

On page 6, line 9, of said bill, as amended, strike out "In the event", and strike out all of lines 10, 11, 12, 13, and 14, and insert "The".

Amendment No. 12

On page 6 of said bill, as amended, strike out all of line 16, and insert "a petition for reconsideration is denied, or, if a petition is".

Amendment No. 13

On page 6, line 18, of said bill, as amended, strike out "rendition", and insert "filing".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 911 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 911 ordered enrolled.

Assembly Bill No. 1160—An act to add Section 789 to the Probate Code, relating to the sale of real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1160?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "30", and insert "45".

Amendment No. 2

On page 1, line 16 of said bill, strike out "30", and insert "45".

Amendment No. 3

In line 1 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "Section 789 to", insert ", and to amend Section 1170 of,".

Amendment No. 4

In line 1 of the title of said bill, as amended, strike out the last "the", appearing therein.

Amendment No. 5

In line 2 of the title of said bill, as amended, strike out "sale of".

Amendment No. 6

On page 1 of said bill, as amended, after line 17, insert

"SEC. 2. Section 1170 of said code is amended to read:

1170. Whenever title to or an interest in real property is affected by the death of any person, any person who claims any interest in such real property, which interest is affected by the death of such person, may , *and is surviving joint tenant or surviving joint tenants must,* file in the superior court of the county of which the decedent was a

resident at the time of his death, or in any county in which any part of the real property is situated, a verified petition setting forth those facts, and particularly describing the real property and his interest therein.

In the event of no opposition to, or contest of, such petition, the same, or affidavits in support thereof, may be received in evidence and acted upon by the court with the same force and effect as if the petitioner or affiants were personally present and testified to the facts set forth."

Amendment No. 7

In line 1 of the title of the printed bill, as amended in the Senate on May 9, 1951, after "789 to", insert ", and to amend Section 1170 of,".

Amendment No. 8

In line 1 of the title of said bill, as amended, strike out "and to".

Amendment No. 9

In line 2 of the title of the said bill, as amended, strike out "amend Section 1170 of,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1160 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1160 ordered enrolled.

Assembly Bill No. 2284—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2284?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "28144", and insert "28145".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "forty-fourth", and insert "forty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "28144", and insert "28145".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 16, inclusive, and insert

"28145. In a county of the forty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [one thousand four hundred dollars ($1,400)] *two thousand dollars ($2,000)* a year.

(b) The district attorney, three thousand dollars ($3,000) a year.

(c) Each supervisor, [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year and mileage from his residence to the county seat at each sitting of the board, twenty cents ($0.20) a mile, such compensation to be in full for services either as supervisor or for mileage as road commissioner.

(d) Grand and trial jurors, [three dollars ($3)] *five dollars ($5)* per day and such mileage fees as are allowed by law.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2284 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Assembly Bill No. 2284 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 108 WAIVED

Mr. McCarthy waived his notice of motion to reconsider the vote whereby Senate Bill No. 108 was passed.

Senate Bill No. 108 ordered transmitted to the Senate.

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1792—An act to amend Section 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1792 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Brady, Burkhalter, and Hansen—3.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

Assembly Bill No. 1793—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1793 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Brady—1.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2720 AND 2721 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bills Nos. 2720 and 2721 be withdrawn from the Committee on Ways and Means, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.05 a.m., Mr. Hollibaugh asked for, and was granted, unanimous consent that Mr. Evans be excused, for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 321

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

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 14

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

WATERS, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 521

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 220
Senate Bill No. 261
Senate Bill No. 1062

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

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No 540
Assembly Bill No. 1183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1265
Assembly Bill No. 1266
Assembly Bill No. 1267

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

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1611

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

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 3165

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

CLARKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 410—An act to amend Section 1630.1 of the Labor Code, relating to employment agencies.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 359—An act to add Section 1551.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—George D. Collins and Gaffney—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 682—An act to amend Section 20831 of, and to add Sections 20831.1, 20834.1, and 20834.2 to, the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2079, on motion of Mr. Fleury.

Speaker Pro Tempore Presiding

At 10.16 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—60.

NOES—Cloyed, Erwin, Klocksiem, Luckel, McCollister, McGee, and Thomas—7.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.20 a.m., Mr. Geddes asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2672

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2672, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2672—An act to add Section 1013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2672?

Amendment No. 1

In line 20 of the printed bill, as amended, strike out "specified", and insert "psychological".

Amendment No. 2

In line 21 of said bill, as amended, strike out "diagnosis within the mean-"; and strike out line 22, and insert "violation of this chapter."

Amendment No. 3

In line 15 of the printed bill, as amended in the Senate on April 13, 1951, strike out "chapter", and insert "section".

Amendment No. 4

In line 21 of said bill, as amended, after the period, insert "Testing and guidance programs in schools, colleges and universities and physical fitness tests given by public or private agencies in connection with employment or issuance or renewal of licenses or permits do not constitute diagnoses within the meaning or intent of this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2672 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury,

Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—59.

NOES—None.

Assembly Bill No. 2672 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2694

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2694, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2694—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2694?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 29, 1951, after line 18, insert

"SEC. 2. Section 2384 of the Business and Professions Code is amended to read:

2384. The conviction of or cash compromise of a charge of violation of the Harrison Act regulating narcotics, or the conviction of a violation of the statutes of this State, regulating narcotics, or dangerous drugs, constitutes unprofessional conduct within the meaning of this chapter. The record of the conviction or compromise is conclusive evidence of such unprofessional conduct. *A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.*"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2694 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—59.

NOES—None.

Motion to Amend Title

Mr. Connolly moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 11, 1951, strike out "Section 2383", and insert "Sections 2383 and 2384".

Amendment read, and adopted.

Assembly Bill No. 2694 ordered reprinted, and enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2755

Mr. Shaw asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2755, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2755

Assembly Bill No. 2755—An act to amend Section 109 of the Code of Civil Procedure, relating to justice courts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 16

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 16, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 16

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 16:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 12, 1951

To the Honorable Members of the Assembly
State of California

GENTLEMEN:

Assembly Bill No. 16, "An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill appropriates $150,000 for research concerning the effect of air pollution on public health. This is a serious problem confronting our State and the beginning of such research should not be delayed.

I therefore recommend consideration of Assembly Bill No. 16 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 16—An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 31
Senate Joint Resolution No. 32
Senate Joint Resolution No. 33

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 67
Senate Concurrent Resolution No. 73

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 115
House Resolution No. 144
House Resolution No. 146

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

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1719

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

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred. Assembly Bill No. 3254

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

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred: Assembly Bill No. 3229

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

ERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred: Assembly Bill No. 3425

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

ERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3364

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3364, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3364

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "Sections 7330 and", and insert "Section".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 2, line 8, of said bill, strike out "(b)".

Amendment No. 4

On page 2 of said bill, strike out lines 15 to 17, inclusive.

Amendment No. 5

On page 2, line 18, of said bill, strike out "(d)".

Amendment No. 6

On page 2, line 23, of said bill, strike out "(e)".

Amendment No. 7

On page 2 of said bill, strike out lines 26 to 32, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1643

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1643, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1643

Assembly Bill No. 1643—An act to add Article 4 to Chapter 4 of Division 10 of the Education Code, relating to the education of deaf children.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Morris:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Respectfully submitted.

G. DELBERT MORRIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Morris:

An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3432: By Mr. Morris—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Referred to Committee on Finance and Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sherwin:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Respectfully submitted.

MARVIN SHERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Sherwin:

An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 3433: By Mr. Sherwin—An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Referred to Committee on Social Welfare.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1109, on request of Mr. Rumford.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 449—An act to amend Section 3079.5 of the Welfare and Institutions Code, relating to public assistance;

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities;

Assembly Bill No. 567—An act to add Sections 18811 and 26132.1 to the Revenue and Taxation Code, relating to state taxation and providing for the giving of notice to state agencies prior to presentation of claims to the State Controller;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

On May 18, 1951, the Assembly requested the Governor to return Assembly Bill No. 550 for further consideration (page 4463). On May 21st the Governor returned the bill to the Assembly, and on the same day the bill was recalled from enrollment (page 4520). On May 21st the bill was returned from enrollment, and returned to the Senate with the request that the Senate rescind the action whereby it passed Assembly Bill No. 550 (page 4542).

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 601—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business;

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices;

Assembly Bill No. 763—An act to amend Sections 45008, and 45080 of, and to add Section 45083 to, the Government Code, relating to municipal personnel, merit and civil service systems, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, relating to the powers of public utility districts and authorizing the formation and operation of improvement districts by public utility districts;

Assembly Bill No. 1023—An act to amend Section 1300.8 of, and add Section 1300.95 to, the Agricultural Code, relating to processors of farm products;

Assembly Bill No. 1091—An act to add Title 10a, comprising Sections 1650 to 1681, to Part 3 of the Code of Civil Procedure, providing a civil and criminal procedure for enforcement of the duties of support;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 1667—An act to add Sections 31047, 31048, and 31049 to the Water Code, relating to county water districts;

Assembly Bill No. 1682—An act to amend Section 942 of the Insurance Code, relating to the liability of the State of California for the custody and safe return of securities;

Assembly Bill No. 1719—An act to add Sections 9.1, 27.1, and 27.2 to, and amend Section 44 of, the Vehicle Parking District Act of 1943, and to add Sections 31571, 31682, and 31683 to, and amend Sections 31530, 31776, and 31777 of, the Streets and Highways Code, relating to the formation and financing of vehicle parking dis-

tricts, the qualifications of commissioners of such districts, the use for parking places of lands already owned by the city, and the redemption of bonds issued under said act;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 1734—An act to add Sections 21386 and 21387 to the Water Code, relating to irrigation districts;

Assembly Bill No. 1735—An act to amend Section 26078 of the Water Code, relating, to irrigation districts;

Assembly Bill No. 1904—An act to amend Section 1105.7 of the Agricultural Code, relating to eggs;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 1928—An act to amend Section 20606 of, and to add Sections 20019.1, 20019.2, 20461.1, 20606.1 and 20608.1 to, the Government Code, relating to the State Employees' Retirement System in respect to members who are local motor coach operators;

Assembly Bill No. 2039—An act to amend Section 6610.3 of, and to add Section 6612 to, the Welfare and Institutions Code, relating to the admission of persons believed to be mentally ill into mental institutions by application of a local health officer;

Assembly Bill No. 2122—An act to add Section 228.2 to the Agricultural Code, relating to bovine tuberculosis control;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 2528—An act to amend Sections 12512 and 12550 of the Water Code, pertaining to the Colorado River Board;

Assembly Bill No. 3279—An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m

BURKE, Chairman

Speaker Presiding

At 10.40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 223—An act to amend Sections 1, 2, 10, and the heading of Division 1 of, to repeal Sections 13 and 1420 of, and to add Sections 13, 13.1, and 13.2 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, abolishing the Division of Fish and Game in the Department of Natural Resources, establishing a Department of Fish and Game and prescribing the duties, powers, and jurisdiction of said department and the Fish and Game Commission, and to amend Section 12040 of the Government Code, placing the Director of Fish and Game on the Governor's Council.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 436

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 436, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 436

Senate Bill No. 436—An act to amend Sections 2 and 5 and to repeal and add Sections 6 and 7 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945 (Ch. 85, Stats. 1945), relating to forest practices.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 62

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

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1534

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1534, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1534

Senate Bill No. 1534—An act to add Section 35561.1 to the Government Code, relating to withdrawal of territory from cities

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 1534

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1534 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 610

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 610, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 610

Senate Bill No. 610—An act creating the Interim San Francisco Bay Ports Commission, describing its powers and duties, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Motion to Amend Title

Mr. Maloney moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on April 10, 1951, strike out ", and making an appropriation therefor".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2056

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

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2067

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

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1217

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

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 15 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred.

Senate Bill No. 953

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

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 945

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

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

COMMUNICATIONS

By the Chief Clerk:

A communication from George Sehlmeyer, Master of the California State Grange, Sacramento, acknowledging receipt of Assembly Joint Resolution No. 30, previously adopted by the Legislature, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A resolution from the Calexico Chamber of Commerce, signed by George Johnson, President, urging the passage of Senate Bill No. 1228 and Assembly Bill No. 2921, was received, and ordered referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 8

Mr. Collier asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 8, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 8

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on May 8, 1951, strike out line 1, and insert

"WHEREAS, The decisions of the Supreme Court of the United States and of certain state courts have caused uncertainty in the minds of lawyers and of the public generally concerning the effect of treaties and executive agreements on our Federal and State Constitutions and laws; and

WHEREAS, Such uncertainty should immediately be clarified; now, therefore, be it".

Amendment No. 2

On page 1 of said measure, strike out lines 2 to 15, inclusive.

Amendment No. 3

On page 1 of said measure, strike out lines 22 to 25, inclusive, and insert

"1. The representative form of Federal Government, consisting of the Congress, the Executive, and the Judiciary, the sovereignty of the governments of the several states, the express limitations on the powers of Congress, the guarantees of individual liberties, and the independence of the federal judiciary, contained and guaranteed in and by this Constitution and in particular the first 10 amendments thereto, shall not be abolished nor altered by any treaty or executive agreement."

Amendment No. 4

On page 2 of said measure, strike out lines 1 to 6, inclusive.

Amendments read.

Point of Inquiry

Mr. Conrad arose to the following point of inquiry: Is it the sense of the Chair that this is more than a resolution, and can compel Congress to act?

Ruling by Speaker

Speaker Sam L. Collins ruled that Senate Joint Resolution No. 8 is still a resolution and, if adopted, will not compel Congress to act.

Point of Inquiry

Mr. Elliott arose to the following point of inquiry: If two-thirds of the states adopt such a resolution, will Congress be compelled to call a constitutional convention for the purpose of amending the Constitution of the United States?

Ruling by Speaker

Speaker Sam L. Collins ruled that the proposed resolution is permissive legislation, and that it will be but a directive to Congress, if adopted.

Motion That Senate Joint Resolution No. 8, With Proposed Amendments by Mr. Kirkwood, Be Re-referred to Committee on Judiciary

Mr. McCarthy moved that Senate Joint Resolution No. 8 be withdrawn from the file, and be re-referred to the Committee on Judiciary with the amendments proposed by Mr. Kirkwood, at this time.

Messrs. Fleury and Moss seconded the motion.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr Thomas is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Collier is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Moss, Henderson, Gubser, Hansen, and Doyle demanded the previous question.

Demand for previous question sustained.

The question being on the motion to re-refer by Mr. McCarthy.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen,

Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—58.

NOES—Chapel, Collier, Dickey, Dolwig, Hollibaugh, Levering, Lyon, and McGee—8.

Senate Joint Resolution No. 8, with amendments proposed by Mr. Kirkwood, ordered re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 44

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 44, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 44

Senate Concurrent Resolution No. 44—Relative to Sequoia Gigantea groves.

Resolution read.

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

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

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 64

Mr Gubser asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 64, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 64

Senate Bill No. 64—An act to add Section 26153 to the Government Code, relating to accident prevention education.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 645

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 645, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 645

Senate Bill No. 645—An act to add Chapter 4.5 to Division 4 of the Water Code, relating to the alteration, diversion or deflection of streams.

Bill read third time.

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

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 238

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 238, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 238

Senate Bill No. 238—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Bill read third time.

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

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

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1691

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1691, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1691

Senate Bill No. 1691—An act to amend Section 5425 of the Public Resources Code, relating to recreation park and parkway districts.

Bill read third time.

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

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell,

Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 22

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 22, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 22

Senate Joint Resolution No. 22—Relative to memorializing Congress to consider the use of the Georgetown to Wentworth Springs and Chambers Lodge at Lake Tahoe on Highway 89 as a principal East-West traffic artery for civil and military defense.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 24

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 24, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 24

Senate Joint Resolution No. 24—Relative to memorializing Congress to consider the use of California State Highway Sign Route No. 88 as a principal East-West traffic artery for civil and military defense.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 454

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 454, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 454

Senate Bill No. 454—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 333

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 333, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 333

Senate Bill No. 333—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 279

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 279, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 279

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

Motion to Amend

Mr. Lincoln moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 14, 1951, after "lumber", insert "from its source of origin at sawmill, remanufacturing plant, or dry yard".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 914

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 914, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 914

Senate Bill No. 914—An act to amend Section 37101 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 509

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 509, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 509

Senate Bill No. 509—An act to add Section 18236 to the Education Code, relating to use of school buildings declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs Doyle, Hinckley, Levering, Burke, and Kelly demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 509.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills,

Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—55.

NOES—Beck, Caldecott, George D. Collins, Elliott, Gaffney, Hawkins, Henderson, Luckel, Maloney, Moss, Munnell, Niehouse, Porter, and Thomas—14.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—55.

NOES—Beck, Caldecott, George D. Collins, Elliott, Gaffney, Hawkins, Henderson, Luckel, Maloney, Moss, Munnell, Niehouse, Porter, and Thomas—14.

Bill ordered transmitted to the Senate.

Explanation of Vote on Senate Bill No. 509 by Francis Dunn, Jr.

I voted for Senate Bill No 509 with some misgivings and only because of the great need for shortage of school housing and because I know that a very thorough study of the subject has been made between March 14th and May 9th, 1951 by a Subcommittee of the Assembly Committee on Education

It is my hope that if and when the governing board of any school district submits to the electors of the district a proposal to use a school building which otherwise would be abandoned as unsafe, that the best possible information as to the actual structural strength of the building be made available to the voters, and that every effort within the financial ability of the district be taken to make the building safe.

FRANCIS DUNN, JR.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 951
Assembly Bill No. 1144
Assembly Bill No. 1534
Assembly Bill No. 895
Assembly Bill No. 1579

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 27
Senate Bill No. 521
Senate Bill No. 966
Senate Bill No. 973

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

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 454
Assembly Bill No. 2002
Assembly Bill No. 2795
Assembly Bill No. 2941
Assembly Bill No 3387
Assembly Bill No 3423

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1605

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1605, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1605

Senate Bill No. 1605—An act to add Section 14745 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils.

Bill read third time.

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

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

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 42—Relative to the passing of Clyde L. Wymore.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 961

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 961, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 961

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, after the second "to", insert ", and to repeal Section 204f of,".

Amendment No. 2

On page 1, line 18, of said bill, strike out "60,000 and not over 290,000", and insert "550,000 and not over 600,000".

Amendment No. 3

On page 1, line 24, of said bill, strike out "60,000 and not over 290,000", and insert "550,000 and not over 600,000".

Amendment No. 4

On page 2 of said bill, after line 8, insert
"SEC. 2. Section 204f of the Code of Civil Procedure is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 4, 1951, after "camper", insert "or party of two or more campers".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 29

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 29, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 29

Senate Joint Resolution No. 29—Relative to the American Indian.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 111

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 111, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 111

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737 1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 7, 1951, between lines 49 and 50, insert

"(b) Any bail deposited with an officer in charge of the most accessible county jail, city jail or other place of detention within the county shall be transmitted to a magistrate having jurisdiction over the offense, or to the clerk of such magistrate, not later than the next business day."

Amendment No. 2

On page 2, line 50, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 3

On page 3, line 3, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 4

On page 3, line 17, of said bill, after "revised", insert "by the majority vote of such magistrates".

Amendment No. 5

On page 3, line 22, of said bill, strike out "superior court of the county", and insert "municipal or justice court situated at the county seat".

Amendment No. 6

On page 3 of said bill, between lines 41 and 42, insert

"(b) Any bail deposited with an officer in charge of the most accessible county jail, city jail or other place of detention within the county shall be transmitted to a magistrate having jurisdiction over the offense, or to the clerk of such magistrate, not later than the next business day."

Amendment No. 7

On page 3, line 42, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 8

On page 3, line 47, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 9

On page 4, line 11, of said bill, after "revised", insert "by the majority vote of such magistrates".

Amendment No. 10

On page 4, line 16, of said bill, strike out "superior court of the county", and insert "municipal or justice court situated at the county seat".

Amendment No. 11

On page 4, line 34, of said bill, after "trial", insert "and said person shall not be required to plead".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 94

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 94, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 94

Senate Bill No. 94—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1060

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1060, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1060

Senate Bill No. 1060—An act to add Article 10 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 1060

Mr. Brady gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1060 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 348

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 348, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 348

Senate Bill No. 348—An act to amend Section 27322 of the Government Code, relating to recordation of instruments.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2665

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 2665, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2665

In compliance with a notice given on a previous day, Mr. Maloney moved that the vote whereby Assembly Bill No. 2665 was passed be reconsidered.

Demand for Previous Question

Messrs. Klocksiem, Silliman, Hinckley, McGee, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Maloney to reconsider the vote whereby Assembly Bill No. 2665 was passed.

The roll was called, and reconsideration refused by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—27.

NOES—Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lyon, McCarthy, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—40.

Assembly Bill No. 2665 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3070

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 3070, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 3070

In compliance with a notice given on a previous day, Mr. McCarthy moved that the vote whereby Assembly Bill No. 3070 was passed be reconsidered.

The roll was called, and Assembly Bill No. 3070 refused reconsideration by the following vote:

AYES—Babbage, Beck, Berry, Brady, Coats, Collier, George D. Collins, Conrad, Davis, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hansen, Kirkwood, Klocksiem, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Shaw, Sherwin, Smith, and Tomlinson—30.

NOES—Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Levering, Lindsay, Luckel, Lyon, McCollister, McMillan, Niebouse, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—36.

Assembly Bill No. 3070 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1744

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1744, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1744

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 62: By Mr. Luckel—Relating to percentage reductions in the next annual budget estimates of state departments.

Referred to Committee on Rules.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 7, 1951; Tuesday, May 8, 1951; Wednesday, May 9, 1951; Thursday, May 10, 1951 and Friday, May 11, 1951 were approved as corrected by the Minute Clerk.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No. 3409 was passed, was continued until the next legislative day.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3186.
Conservation, Planning, and Public Works, in Room 2170.
Manufacturing, Oil, and Mining Industry, in Room 432.

At 8 p.m.—

Education, in Room 432.
Constitutional Amendments, in Room 3186.
Municipal and County Government, in Room 2170.

Tomorrow, Thursday, May 17th, At 9.15 a.m.—

Rules, in Room 3186.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Joseph C. Bender of New Jersey and Puerto Rico.

On request of Speaker Sam L Collins, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Arthur Kent White, of Denver, and a group of churchmen.

On request of Mr Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman and Mrs A B. Green of San Luis Obispo.

On request of Mr. Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. M. Iwerks of Palo Alto.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Eugene Nesbet and Richard Manley of Upland.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Val Lawson of Lancaster.

On request of Messrs Hahn and Morris, the usual courtesies of the Assembly for this day were unanimously extended to George Cronk of Los Angeles.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Maurice Billet of Los Angeles.

On request of Messrs Kirkwood and Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ulla Grill, and Miss Vera Johansson, of Stockton, and Mrs. John R. Page, John Page, Jr., and Mrs. Harley Stevens of San Francisco.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Paul L. Burkhard of Glendale.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended Howard Steitz and Floyd Jolley of Burbank.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Dunn, Gilbert Jertberg, and Phil C. Gardner of Fresno.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Catherine Young, teacher, Mrs. W. A. Gaunt, Mrs L. R. McGuire, and Mrs R. M. Small, adults, and the following pupils of the Concord School: Patsy Draper, Carole Souder, Fred Cree, Doreen Smith, Lorraine Offield, Ed Ulrich, Robert Clugston, Richard Small, Richard Noerenberg, Mike Barry, Gerald Broyles, Clifford Smith, Fergus Quigley, Shirley Warner, Kathy Millham, Gerry Kennon, Sally Warner, Neil Francis, Mary Bergum, Arlene Fambrini, Tommie Jane Grisham, Robert Warren, Hugh Gaunt, Ronald August, Larry Hoppe, Jody Edwards, Ronald Cook, Keith Blair, Rosalind Fowler, Sherry McGuire, Dolores Rose, Deanna Wylie, Kent Barber, Gilbert Barton, John, Bengston, Yvonne Blythe, Jim Brooks, Gordon Buckmaster, Betty Chrisp, Le Vonne De Frates, Joann Donaldson, Betty Duncan, Glenet Fairchild, Glenn Fisher, Bill Frazier, Maxine Futs, Frank Holland, James Kelly, Gayle Lee, Rosalyn Loving, Ralph Nichols, Janice Oldershaw, David Parker, Steve Patterson, Carol Polk, Robert Quigly, LeVern Sharper, Cherie Seaman, Maureen Shea, Marlene Smith, Dorothy Torres, Beverly Tune, Bob Wallace, Dan White, Greta Youngberg, Bill Chase, and Barbara Bowman.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to Paul Hudleson, Fred Hill, Harold Parsons, Ben Hudleson, Ed. Olander, and John Hochstatter of Modesto.

On request of Mr. Hagen, the usual courtesies of the Assembly for this day were unanimously extended to Fred Giagomazz and Cal Champlin of Hanford.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Miss Chloe Lancaster of San Carlos, and Mrs. Austin Davis of Belmont.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Morateur, Mrs. Merle Houser, Miss Matie Luther, Mrs. Margaret Larsen, and Clay Caldwell, teachers, and the following pupils of the J. S. Hennessy School: Marilyn Abraham, Janice Andrews, Richard Arant, Florence Atterberry, Frank Barghoorn, Roxanne Barnes, Marlene Berry, Jo Ann Brock, Helen Bryd, Gene Carley, Ruth Carter, Ruth Cartwright, Arlene Cartwright, Elsie Casner, George Clanton, Georgia Clanton, Jane Cox, Robert Cox, Norma Lee Cramer, Scott Cramer, Bradley Crase, Shirley Daniels, Otis Davis, Patrick Day, Neita Derby, Timothy Dermody, Norman Donnenwirth, Jon Droivold, Betty Jean Dwyer, Patricia Earl, George Eisner, Carol Farnsworth, Donald Fassino, Donnie Fields, Rose Marie Flynn, Wanda Friant, Gloria Garcia, David Gaskins, Frank Goldsberry, Louis Gray, Carroll Greentree, Beverly Gregory, Jeanette Harris, Henry Hartung, Rena Mae Hayden, Rose Louise Helback, Billy Hooper, Donald Hovie, Eddie Hugi, Bryson Huiting, John Hutchins, Lynn Hutchinson, Betty Jenkins, Ruth Jensen, Mary Louise Johnson, Sharon King, Joann LaValley, Joanne Lee, Louis LeDuc, Allan Lowrie, James Macfarlane, Donna Mapes, Georgia Ann Markell, Marian Mawby, Jo Marie Matthews,

Ardith May, Bruce McDonald, Michael McGagin, Burl McLaughlin, Joanne McNally, Kay McNally, Billy Merchant, Maralyn Merritt, Ella Mae Michael, William Mill, Loretta Morandi, Larry Mowry, Neil Mulch, Mickey Mulligan, Doris Narred, Karl Nelson, Bernice Nichols, Orville Nicholson, Bob Pence, Donald Percy, Janet Qualls, Barbara Randall, Patsy Roberts, Sarah Rooks, Donald Rossi, John Rua, Richard Ruiz, Vernon Sandall, James Seley, Ann Sheldon, Sue Shepherd, Billy Smethers, Dick Smith, Kenneth Smith, Eddie Strain, Marlene Strick, Jeanne Stemple, Jeanette Temple, Everett Thompson, Helen Thorn, Marvin Tittle, Wade Todd, Bob Tremewan, Marilyn Turner, Ausma Upenieks, Jacqueline Vesley, Jimmy Wasley, Esther Watson, Clifford Weeks, Wayne Wergeland, Sharon Wexelberger, Paul Wilson, and Alvin Wood.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Charles Sullivan, Miss Bernice Lindsey, and Miss Frances Hall, teachers, Mrs. Geraldine Daggett, Mrs. Opal Lemmons, Mrs. Jeanne Hannigan, Mrs. Clara Clift, Mrs. Hazel Chandler, Mrs. Eleanor Sivasey, Mrs. J. M. Riggan, Mrs. Lois Wright, Mrs. Elvira Dorris, Mrs. Sarah Willis, Roy Gene Wells, Mrs. Nancy Wells, Mr. Charlie Wells, Mrs. Rosamae Nicholson, and Mrs. Haskell Sitton, adults, and the following pupils of the Fairfield School: Linda Riggan, Andrea Stanley, Joyce Stephens, Janice Stickles, Mittie Sitton, Delores Fillmen, Vetha Wells, Billie Jo Willson, Joe Barboza, Tommy Bautista, Joe Bertholdi, Joe Danielson, Wallen Durham, Gary Falati, Abraham Flores, Tom Hannigan, Don Huffman, Jerry, Hunter, Richard Ketron, Boyd Littlejohn, Richard Lockwood, Charles Oliver, Mervyn Regan, Michael Ricker, Michal Roach, Richard Sims, Gary Swasey, Dickie Alexander, Marvin Anderson, J. M. Brown, Rex Clift, Donald Foster, Robert Lambro, Paul McKee, Charles Nicholson, Chuck Serpas, Jackie Stossel, Billy Turnbull, Howard Pangburn, Marvin Walker, Bernard Willis, Carol Jane Bennett, Carol Susan Bennett, Barbara Brown, Jeanette Chandler, Mary Daggett, Susan Hindman, Geraldine Jennings, Yvonne Kuehner, Gail Lambro, Frances Morilla, Mary Noonan, Phyllis O'Connell, Shelby Rice, Dorothy Anderson, Deanna Durham, Mary Gayler, Mary Groves, Joan Hart, Carolyn Lacy, Betty Lu Lemmons, Evanelle Monson, Launa Nashland, Joy Niles, Patsy Pretel, Jenell Rushing, Barbara Santaella, Joyce Scrivner, Evelyn Vallera, Rachel Vargas, and Barbara Dorris.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Francis Harris, Bob Fairchild, and Ivan D. Chappell, adults, and the following pupils of the Danville School: Claudia Andreasen, James Andreasen, Ann Armstrong, Clemens Arrasmith, Tommy Bacon, Janet Barrett, Yvonne Berger, Bob Blachley, Donald Brazil, Chris Christofferson, Marjorie Corum, Guy Cox, Ruth Cox, Sally Cox, Garry Cunningham, Dawn Doorley, Neil Fereira, Phoebe Force, Logan Franklin, Peter Grady, Margrethe Hansen, Billy Helfrich, Jackie Hough, Anna May Juul, Soren Knudsen, Arlene Lambert, Bonnie Lee, Peggy Macedo, Betty Mattos, Katherine Miller, Clark Mitchell, Dominic Pappalardo, Carmen Pleshe, Janet Reinstein, Betty Jean Rose, Steve Salter, Kenny Sandy, Mary Santiago, Cleo Sheppard, Shirley Silva, Norma Steadham, Gary Soto, Kenny

Soto, John Strong, Jonne Sullivan, Ridley Taylor, Cornell Ullman, Jack Votion, Nancy Weisend, Carole Wendling, Wendy White, Robert Williams, and Billy Williamson.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. J. J. Sheridan and Mrs. Ed. Petty of San Diego.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Clarence B. Beckett of Calais, Maine.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Ed. Kennedy of Bellflower.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Ralph B. Smith, teacher, and the following pupils of Monterey: Barbara Bebb, Glenn Lagree, Harold Taylor, E. W. Fales, John Weeks, Charles Beebe, Jerry Cummings, William Golden, Mary Ortman, Evelyn Cooksey, Wesley Semple, Hunter Lauer, Mary Gordon, John Hunt, William Pierce, Jess Smith, Lillian Sedler, Barbara Hollenberg, Bob Feliciano, Marvin Terry, William Todd, Barbara Verga, Joe Hugvelet, Ann Wilcox, Warren Edlavitch, Ardith Morrisseau, and Dick Viall.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Pacific Union College of Angwin: Berna Abbott, Rolland Bivens, Robert Fischer, Harry Lee Sackett, Marlene Davis, Lynn Lee, Janine McCaffery, Wanda Messer, Wanda Robinson, Stanley Payne, Phoebe Hopp, Harold Hartley, Betty Lou Preyer, Eugene Rau, Gordon Wheeler, Meryl Sprengel, Kenneth Grenz, Rose Spaulding, Andreva Schultz, Mona Stutchman, and Bruce Chittenden.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Stockton College: Fernando Becerra, Melva Beilby, Arlen Besecker, Robert Bietz, Duane Blasl, Duska Bailey, Agnes Beaulieu, Thomas Chan, Betty Chapman, Jack Dokey, Everett Eiselen, Jim Evans, Carole Grainger, Barbara Green, Frank Harvey, Carrol Heynen, Marilyn Holman, Eiko Morita, Marian Mayeda, Betty Meyer, Laura Piggee, Marilyn Reeves, Joanna Roek, Joe Sanford, Milo Terzich, Doris Van Airsdale, Frances Kenoyer, Luvenia Cheeks, Theresa Passadore, Lolita Clark, Joy Whisenhunt, Richard Batres, George Costa, Donald Pleau, Loretto Vallem, Lorna Bonds, Gloria Bethel, Barbara Edwards, Lois Reitner, Jennifer Hanke, Delia Villavicencio, Margie Jensen, Jean Goddard, Virginia Zambra, Ken Poirier, Ken Parker, Robert Ingram, Pauline Stockman, Jimmy Delaney, Arthur Naftel, and Jerry Moore.

ADJOURNMENT

At 12.39 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, May 17, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY

EIGHTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 17, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

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

Eternal and Loving Heavenly Father, Grant us Thy prevailing presence.

"Teach us that
The power that holds the planets in their courses,
That places limits on the restless sea,
Holds our lives within its mighty keeping—
Always holding you and me."

And now unto Him that is able to keep us from falling and present us faultless before the presence of His glory with exceeding joy, to the only wise God, our Saviour, be glory and majesty, dominion and power, both now and evermore —AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF INTERIM COMMITTEE ON GOVERNMENTAL REORGANIZATION BE PLACED UPON MORNING ROLL CALL

Mr. Lincoln asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Interim Committee on Governmental Reorganization, at this time, be placed upon the morning roll call as follows:

Messrs. Kirkwood, Silliman, and Sherwin.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

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

Assembly Bill No. 251
Assembly Bill No. 305
Assembly Bill No 914
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 2086
Assembly Bill No. 2648
Assembly Bill No. 2688
Assembly Bill No. 2770
Assembly Bill No. 2942
Assembly Bill No. 2943

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

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

Assembly Bill No. 782
Assembly Bill No. 1529
Assembly Bill No. 2562
Assembly Bill No. 2808
Assembly Bill No. 3364

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1561

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 741
Assembly Bill No. 1577

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

DUNN, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 223

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

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 946
Senate Bill No. 951
Senate Bill No. 1668

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

SENATE CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 1
Assembly Bill No. 30
Assembly Bill No. 129
Assembly Bill No. 148
Assembly Bill No. 222
Assembly Bill No. 661
Assembly Bill No. 666
Assembly Bill No. 773
Assembly Bill No. 904
Assembly Bill No. 1286
Assembly Bill No. 1299
Assembly Bill No. 1377
Assembly Bill No. 1868
Assembly Bill No. 1738
Assembly Bill No. 2046
Assembly Bill No. 2220
Assembly Bill No. 2309
Assembly Bill No. 2459
Assembly Bill No. 2939
Assembly Bill No. 3072
Assembly Bill No. 3227
Assembly Bill No. 3412
Assembly Bill No. 3421

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

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

SENATE CHAMBER, SACRAMENTO, May 16, 1951

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

Assembly Bill No. 39
Assembly Bill No. 489
Assembly Bill No. 576
Assembly Bill No. 813
Assembly Bill No. 849
Assembly Bill No. 1069
Assembly Bill No. 1082
Assembly Bill No. 1158
Assembly Bill No. 1651
Assembly Bill No. 2048
Assembly Bill No. 3226

And respectfully requests your honorable body to concur in said amendments.

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 16, 1951

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

Senate Concurrent Resolution No. 70

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 70—Relative to congratulating Santa Clara University on its one hundredth anniversary.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 16, 1951

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

Senate Bill No. 228
Senate Bill No. 465
Senate Bill No. 1586
Senate Bill No. 1587
Senate Bill No. 1592

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Senate Bill No. 465—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Referred to Committee on Social Welfare.

Senate Bill No. 1587—An act to add Section 103.4 to the Welfare and Institutions Code, relating to absence of recipients of public assistance from the State.

Referred to Committee on Social Welfare.

Senate Bill No. 1592—An act to add Chapter 1.3, comprising Sections 144 to 144.11, inclusive, to add Section 118.3 thereto, to Division 1 of the Welfare and Institutions Code, and to repeal Sections 1504, 1506, 2007, 2222, 2223, 2223.5, 3006, 3405, and 3406 thereof, relating to public assistance, including the recovery of amounts to which the recipients were not legally entitled.

Referred to Committee on Social Welfare.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 723—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Bill read second time, and ordered engrossed

Assembly Bill No. 805—An act to amend Section 31555 of the Government Code, relating to the retirement of officers and attaches of municipal and justice courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1658—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1783—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1265—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1267—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 3425—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 424—An act to amend Sections 6 and 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 4, 1951, strike out "Sections 6 and 7", and insert "Section 6".

Amendment No. 2

On page 1 of said bill, strike out lines 10 and 11; and in line 12, strike out "the City and County of San Francisco", and insert "fifteen thousand dollars ($15,000) per annum".

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 19, inclusive; and strike out all of page 2

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 766—An act to amend Sections 737q, 737bb, and 737vv of the Political Code, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 737q, 737bb, and 737vv", and insert "Section 737bb".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 79.17, 79.28, and 79.48", and insert "Section 79.28".

Amendment No. 3

In line 3 of the title of said bill, strike out "superior judges' salaries", and insert "the salary of superior court judge in Napa County".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert
"SEC. 1. Section 737bb of the Political Code is amended".

Amendment No. 5

On page 1, line 15, of said bill, strike out "_____ dollars ($_____)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 6

On page 1, line 16, of said bill, strike out "SEC. 4", and insert
"SEC. 2".

Amendment No. 7

On page 1, line 18, of said bill, after "salary", strike out "of the judge".

Amendment No. 8

On page 1, line 20, of said bill, strike out "_____ dollars ($_____)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 9

On page 1 of said bill, strike out lines 21 to 25, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert
"SEC. 3. Section 2 of this act becomes operative only if Section 737bb of the Political Code is repealed by the Legislature at the 1951 Regular Session and in such case at the same time such repeal takes effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1611—An act to add Section 3 to an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 3 to", and insert "amend Section 2 of, and to add Section 3 to,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 3 is added to", and insert "Section 2 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 1 and 2, insert "title hereof is amended to read:

SEC 2. Any such trust assets referred to in Section 1 of this act which may be *transferred or* returned to this State or to the duly designated agency or official thereof shall be deposited in the State Treasury to the credit of said California Farm Debt Adjustment Commission or to the credit of the Department of Agriculture Fund, as the case may require Such funds or other assets shall be used *by the aforesaid designated agency or official* for the purpose of conducting rural rehabilitation work or for any purpose similar thereto [engaged in by the aforesaid designated agency or official] *or in accordance with Section 3 of this act. No liability shall accrue to the United States or to the Secretary of Agriculture thereof by virtue of any transfer made pursuant to Section 1 of this act.*

SEC. 2. *Section 3 is added to the act referred to in the*".

Amendment No. 4

On page 1, line 6, of said bill, after "act", insert "in accordance with and".

Amendment No. 5

On page 1, line 9, of said bill, after "Session", insert ", approved May 3, 1950".

Amendments read, and adopted.

Bill order reprinted, and engrossed.

Assembly Bill No. 3254—An act to add Section 48.5 to the Fish and Game Code, relating to access to public hunting and fishing grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on May 10, 1951, strike out "may", and insert "shall".

Amendment No. 2

On page 1, line 22 of said bill, after "Fund", insert "or other funds available to the commission".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 710—An act to amend Section 548 of the Probate Code, relating to executors and administrators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "548", and insert "902"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "548", and insert "902".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"902. Such further allowances may be made as the court may deem just and reasonable for any extraordinary services, such as sales or mortgages of real or personal property, contested or litigated claims against the estate, the preparation of estate, inheritance, income, sales or other tax returns [which require the appointment of a tax counsel, tax auditor or other tax expert for the preparation thereof] , *or* the adjustment *or litigation or* [and] payment of *any of said taxes* [extensive or complicated estate or inheritance taxes] , litigation in regard to the property of the estate, the carrying on of the decedent's business pursuant to an order of the court, and such other litigation or special services as may be necessary for the executor or administrator to prosecute, defend, or perform.

The executor or administrator when authorized by order of the court may also employ or retain tax counsel, tax auditors, accountants, or other tax experts for the performance of any action in the computation, reporting, or making tax returns, negotiations or litigation which may be necessary for the final determination and payment of taxes, and pay from the funds of the estate for such services."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 971—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 and 11, and insert "persons to be called which shall be not less than 20 nor more than 25 The order shall also specify the number of members of the immediately preceding grand jury, which shall be not less than three nor more than nine, who shall be members of the grand jury to be impaneled."

Amendment No. 2

On page 1, line 22, of said bill, strike out "nine", and insert "the number specified in the order of the court".

Amendment No. 3

On page 1, line 23, of said bill, strike out "nine such persons", and insert "the number specified".

Amendment No. 4

On page 1, line 25, of said bill, strike out "nine"; and on page 2, line 1, strike out "of them", and insert "the number specified".

Amendment No. 5

On page 2, line 4, of said bill, strike out "10", and insert "a number which, when added to the number impaneled from the immediately preceding grand jury, equals 19".

Amendment No. 6

On page 2 of said bill, strike out line 5, and insert "jury. If more than such number are present and not excused, such number shall be".

Amendment No. 7

On page 2, line 8, of said bill, strike out "nine members", and insert "the number of members specified in the order of the court".

Amendment No. 8

On page 2, line 9, of said bill, strike out "10", and insert "the required number".

Amendment No. 9

On page 2 of said bill, after line 13, insert

"SEC. 4. This act shall take effect only if the amendments to Section 8 of Article I of the Constitution proposed at the 1951 Regular Session of the Legislature are adopted by the voters, and in such case this act shall take effect at the same time such amendments take effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3326—An act to add Section 274d to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "274d", and insert "261i".

Amendment No. 2

On page 1, line 1, of said bill, strike out "274d", and insert "261i".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 17, inclusive, and insert

"261i. In each county, or city and county having a population of more than 288,000 and less than 400,000 inhabitants, as determined by the Federal Census taken in 1950, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822 of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 302—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of shorthand reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, as amended in the Assembly on May 8, 1951, strike out "to add Chapter 20 to Division 3 of the Business and Professions Code, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 19, inclusive; strike out all of pages 2 and 3; and on page 4, strike out lines 1 to 43, inclusive.

Amendment No. 3

On page 4, line 44, of said bill, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 4

On page 5 of said bill, strike out lines 45 to 49, inclusive, and insert "there shall be paid to the county clerk of such county, by each party, or jointly by the parties appearing jointly, a fee of three dollars ($3), except that in counties, or cities and counties, of 750,000 inhabitants or over, as determined by the 1950 Federal Census, the fee shall be five dollars ($5), in each of the following instances:"

Amendment No. 5

On page 6, line 1, of said bill, strike out "proceedings", and insert "proceeding".

Amendment No. 6

On page 6, line 14, of said bill, after "($3)", insert a comma.

Amendment No. 7

On page 6, line 15, of said bill, after "($5)", insert "in counties, or cities and counties, of 750,000 inhabitants or over, as determined by the 1950 Federal Census."

Amendment No. 8

On page 6, line 30, of said bill, strike out "4", and insert "2".

Amendment No. 9

On page 6, line 32, of said bill, strike out "621b", and insert "261b".

Amendment No. 10

On page 6, line 34, of said bill, strike out "700,000", and insert "750,000".

Amendment No. 11

On page 6, line 35, of said bill, after "1950", insert "federal".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 521—An act to amend Sections 1153 and 1153.5 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1153 and 1153.5", and insert "*Section 10292*".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive, and lines 1 to 20, inclusive, on page 2, and insert

"*SECTION 1. Section 10292 of the Insurance Code is amended to read:*

10292. A supplemental contract of the kind mentioned in Section 10271 shall not be delivered or issued for delivery to any person in this State until a copy of the form thereof is submitted to and approved by the commissioner. If such supplemental contract is an integral part of a contract of life insurance, the entire contract shall be submitted to the commissioner but his power of approval or disapproval is limited to the supplemental portion described in such section and such other portions as relate to such supplemental portion. The commissioner may make reasonable rules and regulations concerning the provisions in such contracts and their submission to and approval by him as are necessary, advisable or convenient to enforce the [applicable] standards set forth in this chapter *found by him to be applicable to any such supplemental contract; provided, however, that none of the standards set forth in Section 10291.5 except those in subsections (a) and (b) (1) thereof, shall be deemed applicable to such supplemental contract*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 540—An act to amend Sections 493 and 494 of, and to add Section 449 to, the Agricultural Code, relating to qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 11, of the printed bill, following "by", insert "the State of California or".

Amendment No. 2

On page 1, line 11, of the printed bill, following "city", insert "or city and county".

Amendment No. 3

On page 1, line 15, of the printed bill, strike out "four", and insert "two".

Amendment No. 4

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert "(a) Graduation either from an agricultural college with specialization in studies relating to dairy farms or milk and milk products; or graduation from a veterinary college of recognized standing at time of graduation and one year of experience in the production, processing, or inspection of milk or milk products; or".

Amendment No. 5

On page 2 of the printed bill, strike out lines 1 to 2, inclusive

Amendment No. 6

On page 2, line 10, of the printed bill, following "experience", insert "with an approved milk inspection service".

Amendment No. 7

On page 2, line 12, of the printed bill, strike out "within the State of California".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1183—An act to add Section 19 to the Agricultural Code, relating to claims against bonded licensees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "report on or before the thir-"; and strike out lines 5 to 13, inclusive, and insert "as a condition to the enforcement of any claims under said bond file a verified statement with the department covering any delinquent amount owed such producer. Said verified statement must be filed by such producer within a period of one year from the date the amount has become delinquent."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 951—An act to amend Sections 4030, 4032, and 4040 of, and to add Section 4034 to, the Business and Professions Code, relating to pharmacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of the title, strike out "Section 4034 to," and insert

"An act to amend Sections 4013, and 4162 of, and add Sections 4034, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039 to, and repeal Sections 4038 and 4039 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 4013 of the Business and Professions Code is amended to read:

4013. The members of the board shall each be paid the sum of [ten dollars ($10)] *twenty-five dollars ($25)* per diem for every meeting of the board which they attend, and for each day engaged in rating examination papers based upon one per diem for each 20 papers or fraction thereof, and shall be further entitled to their actual travel and other necessary expenses incurred in the performance of their duties.

SEC. 2. Section 4162 of said code is amended to read:

4162. The provisions of this article with reference to hypodermic syringes and needles do not apply to the sale at wholesale by drug jobbers, drug wholesalers and drug manufacturers or manufacturers and [wholesalers of] *dealers in* surgical instruments to any of the following:

(a) Pharmacies as defined in the Business and Professions Code.
(b) Physicians.
(c) Dentists.
(d) Chiropodists.
(e) Veterinarians.
(f) Other jobbers, wholesalers or manufacturers.
(g) Persons to whom a permit has been issued.
(h) Funeral directors and embalmers.

Nor do such provisions apply to the sale at retail by persons to whom a permit has been issued to any of the following.

(a) Pharmacists.
(b) Physicians.
(c) Dentists.
(d) Chiropodists.
(e) Veterinarians.
(f) Licensed medical technicians or technologists.
(g) Nurses.
(h) Hospital research teaching or clinical laboratories.
(i) Other permittees.
(j) Funeral directors and embalmers.

SEC. 3. Section 4034 is added to said code, to read:

4034. The furnishing, dispensing, or vending of any chemicals, drugs, or medicines, other than those exempted in Sections 4032 and 4044, by a wholesaler shall be under the immediate supervision and direction of a registered pharmacist.

SEC. 4. Section 4034.2 is added to said code, to read:

4034.2. No wholesaler shall sell any chemicals, drugs, or medicines, other than those exempted by Sections 4032 and 4044, to anyone not authorized by law to use, dispense, furnish, compound, or resell such chemicals, drugs, or medicines.

SEC. 5. Sections 4038 and 4039 of said code are repealed.

SEC. 6. Section 4038 is added to said code, to read:

4038. It is unlawful for any person to conduct a pharmacy in the State of California unless he has obtained a permit from the board. Each permit shall be issued to a specific person and for a specific location. Separate permits shall be issued for each of the premises of any business establishment having more than one location.

SEC. 7. Section 4038.1 is added to said code, to read:

4038.1. Each application to conduct a pharmacy shall be made on a form furnished by the board. Upon approval of such application by the board and payment of the fee required by this chapter for each pharmacy, the secretary of the board shall issue a permit to conduct a pharmacy if the applicant has complied with all the provisions of this chapter. The permit shall be renewed annually on or before November 1st and shall not be transferable.

SEC. 8. Section 4038.2 is added to said code, to read:

4038.2. If a pharmacy is moved from one location to another or the name only of a pharmacy is changed, the licensee shall notify the board within thirty (30) days after the change, and shall return the permit to the board for correction.

SEC. 9. Section 4038.3 is added to said code, to read:

4038.3. Any person who enters into an agreement to purchase a pharmacy shall at once notify the board in writing, giving his name and address. Such person shall file his application to conduct a pharmacy upon a form furnished by the board. Upon approval of the application by the board, payment of the fee, and compliance with the provisions of this chapter, the secretary of the board shall issue to the applicant a permit to conduct a pharmacy and the permit of the vendor of such pharmacy shall be returned to the board for cancellation.

SEC. 10. Section 4039 is added to said code, to read:

4039. "Person" means any person, firm, association, organization, partnership, business trust, corporation or company."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 17, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, and 28014 of the Health and Safety Code, relating to retail outlets dealing in uninspected and inspected horse meat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 3, 1951, *appearing on page 1 thereof, and insert*

"An act to amend Sections 28000, 28004, 28007, 28010, 28014 and to add Section 28000½ to the Health and Safety Code relating to horse, mule and/or burro meat and their by-products and animal food."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 28000 is amended to read as follows:

28000. As used in this chapter:

(a) Horse meat shall mean the uncooked muscle tissue of the horse and/or mule and/or burro which is skeletal, with or without the accompanying and overlying fat, and the portion of sinews, nerves and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing.

(b) By-products of the horse and/or mule and/or burro shall mean the parts other than horse meat which has been derived from said animals, or either of them.

(c) Except where otherwise provided herein 'horse meat' shall include horse meat and the by-products of the horse and/or mule and/or burro as said terms are defined in subsections (a) and (b) of this Section 28000.

SEC. 2. Section 28000½ is added and shall read as follows:

It is unlawful for any person, firm, corporation or association, or any employee thereof, to sell, offer for sale or have in possession for sale as horse meat, any such meat as defined in Section 28000(a) of this chapter, mixed in any manner whatsoever with by-products as said term is defined in Section 28000(b) of this chapter."

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

Amendment No. 4

On page 2, line 15, of said bill, strike out "uninspected."

Amendment No. 5

On page 2, line 21, of said bill, after "consumption.", insert

"Each container in which dog and/or pet food manufactured from horse meat and/or horse meat by-products and/or meat and/or meat food products is packed shall have affixed thereto a label bearing the following information in addition to all other

information required by law to appear thereon; (1) the name of the food, such as 'Dog Food,' 'Cat Food,' 'Dog and Cat Food,' 'Fox Food,' 'Pet Food' or 'Animal Food' in letters not less than one-half inch in height; (2) the word 'ingredients' followed by a complete list of the ingredients of the food in the order of their predominence and by their common or usual names in letters not more than one-fourth of an inch in height."

Amendment No. 6

On page 2, line 24, of said bill, strike out "SEC. 3.", and insert "SEC. 4."

Amendment No. 7

On page 2, line 32, of said bill, strike out "SEC. 4.", and insert "SEC. 5."

Amendment No. 8

On page 2, line 34, of said bill, before "adulterates", insert "employer or employee,".

Amendment No. 9

On page 2, line 43, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

Amendment No. 10

On page 3 of said bill, strike out lines 1 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1534—An act to amend Section 2175 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2175", and insert "2137 1"; in line 3, after "in", insert "state"; and in lines 3 and 4, strike out "under the jurisdiction of the Department of Mental Hygiene".

Amendment No. 2

On page 1, line 1, of said bill, strike out "2175", and insert "2137.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 19, inclusive, and insert

"2137.1. Subject to the provisions of the State Civil Service Act, any person who is licensed to practice medicine in any other state and who complies with each and all of the requirements of Section 2147.5 with respect to registration with the board and graduation from a school approved by the board, may be appointed to a medical staff within a state institution and, under supervision of a licensed physician and surgeon, may treat persons under the jurisdiction of any such state institution for a period not exceeding one year or until October 1, [1951] *1953* whichever is later; provided, that qualified physicians and surgeons cannot be recruited in the State of California. At the end of such time he must have secured a physician's and surgeon's certificate in order to continue as a member of such medical staff. Until such person has obtained a physician's and surgeon's certificate he shall not engage in the practice of medicine and surgery in this State except to the extent expressly herein permitted. The provisions of this section shall terminate on October 1, [1951] *1953*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 895—An act to amend Sections 8525, 8529, and 8674 of, and to add Section 8529.5 and Article 3.5, comprising Sections 8558 and 8559, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 10 to 13, inclusive, and insert

"8529.5. The registrar shall direct, during each calendar year, the inspection of not less than one (1) of each ten (10) premises covered by inspection reports or documents registered under Article 3.5 of this chapter by each person licensed under this chapter. The registrar shall make and keep records of all such inspections for a period of two (2) years, and shall cite violations of this chapter to the board."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1951, after line 19, insert

"(b) This chapter does not apply to the sale of any packaged, bottled or nonbulk drugs, medicines, poisons or chemicals when sold in the original container as received from the manufacturer or distributor where such sale is made to any of the following:

1. A physician, dentist, chiropodist, veterinarian, pharmacist, medical technician or medical technologist holding a currently valid and unrevoked license to practice his profession.

2. A clinic, hospital, institution or establishment holding a currently valid and unrevoked license or permit under Division 2 of the Health and Safety Code, or under Part 3 of Division 2, Chapter 2 of Division 3, or Part 2 of Division 6 of the Welfare and Institutions Code.

3. A pharmacy registered with the State Board of Pharmacy.

4. A research, testing, teaching or clinical laboratory.

5. A bona fide nonprofit teaching or educational institution

6. A hospital or medical department wholly or partly maintained by an employer for the purpose of furnishing his own employees with medical or surgical examination or treatment under the supervision of a licensed physician

7. The United States, a state, city or county, or any political subdivision, department, bureau or commission thereof, or hospital or institution operated by any of them

8. An exporter for export outside the United States where such drugs, medicines, poisons or chemicals are actually shipped outside the United States."

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 87—An act to amend Sections 629 and 659 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Bill read second time, and ordered to third reading.

Senate Bill No. 209—An act to amend the title of Article 3 of Chapter 4, Part 1, Division 6, and Section 6357 of the Public Resources Code, relating to procedure on establishment of ordinary high-water and low-water marks.

Bill read second time, and ordered to third reading.

Senate Bill No. 526—An act to amend Section 221 of, and to add Section 227p to the Civil Code, relating to the adoption of adults.

Bill read second time, and ordered to third reading.

Senate Bill No. 646—An act to amend Section 476a of the Penal Code, relating to certain instruments.

Bill read second time, and ordered to third reading.

Senate Bill No. 1549—An act to amend Section 1462.2 of the Penal Code, relating to procedure after arrests for misdemeanors.

Bill read second time, and ordered to third reading.

Senate Bill No. 220—An act to amend Sections 736.1-1 and 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1062—An act to amend Sections 16305, 16322, 16349, 16350, 16390, 16391, 16392, 16430, and 16451 of the Business and Professions Code, and to add Sections 16304.1 and 16320.1 thereto, relating to itinerant merchants.

Bill read second time, and ordered to third reading.

Senate Bill No. 1719—An act to amend Section 924 of the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 27—An act to add Section 1919 to the Health and Safety Code, relating to the control of rabid animals.

Bill read second time, and ordered to third reading.

Senate Bill No. 521—An act to repeal Section 28431 and add Section 28431 to the Health and Safety Code, relating to inspection legends on canned food packed under cannery inspection supervision.

Bill read second time, and ordered to third reading.

Senate Bill No. 966—An act to repeal Section 28483 of, and to add a new Section 28483 to the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Bill read second time, and ordered to third reading.

Senate Bill No. 973—An act to amend Sections 7619, 7641, and 7665 of, and to add Sections 7610 and 7708 to, the Business and Professions Code, relating to the regulation of funeral directors and embalmers.

Bill read second time, and ordered to third reading.

Senate Bill No. 210—An act to amend Section 6301 of the Public Resources Code, relating to jurisdiction and authority of the State Lands Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, after line 18, insert

"The provisions of this section do not apply to land of the classes described in Section 6403, as added by Chapter 227 of the Statutes of 1947."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 365—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on April 25, 1951, strike out the semicolon, and insert a period.

Amendment No. 2

On page 1, line 19, of said bill, strike out "except that in", and insert "In".

Amendment No. 3

On page 2, line 4, of said bill, after "courts", insert "and municipal courts".

Amendment No. 4

On page 2, line 5, of said bill, after "compensation", insert "and help".

Amendment No. 5

On page 2, line 6, of said bill, after "which", insert ", and the number thereof,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 572—An act to amend Sections 70, 504, 1181, and 1865 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 1865 of the Civil", and insert "1865, and 3440 of the Civil Code and Sections 502, 739, 743 6, and 744 of the Vehicle".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 23, insert

SEC. 5. Section 3440 of the Civil Code is amended to read:

3440. Every transfer of personal property, other than a thing in action, or a ship or cargo at sea or in a foreign port, and every lien thereon, other than a mortgage, when allowed by law, and a contract of bottomry or respondentia, is conclusively presumed if made by a person having at the time the possession or control of the property, and not accompanied by an immediate delivery, and followed by an actual and continued change of possession of the things transferred, to be fraudulent, and therefore void, against those who are his creditors while he remains in possession, and the successors in interest of such creditors, and against any persons on whom his estate devolves in trust for the benefit of others than himself, and against purchasers or encumbrancers in good faith subsequent to the transfer; provided, however, that the provisions of this section shall not apply to the transfers of wines in the wineries or wine cellars of the makers or owners thereof, or other persons having possession, care, and control of the same, and the pipes, casks and tanks in which the said wines are contained, which transfers shall be made in writing, and certified and verified in the same form as provided for chattel mortgages, and which shall be recorded in the book of official records in the office of the county recorder of the county in which the same are situated; provided, also, that the sale, transfer or assignment of a stock in trade, in bulk, or a substantial part thereof otherwise than in the ordinary course of trade and in the regular and usual practice and method of business of the vendor, transferor, or assignor, and the sale, transfer, assignment or mortgage of the fixtures or store equipment of a baker, cafe or restaurant owner, garage owner, machinist, cleaner and dyer, or retail or wholesale merchant, will be conclusively presumed to be fraudulent and void as against the existing creditors of the vendor, transferor, assignor or mortgagor, unless at least 10 days before the consummation of such sale, transfer, assignment or mortgage, the vendor, transferor, assignor or mortgagor, or the intended vendee, transferee, assignee or mortgagee, shall record in the office of the county recorder in the county or counties in which the said stock in trade, fixtures or equipment are situated a notice of said intended sale, transfer, assignment or mortgage, stating the name and address of the intended vendor, transferor, assignor or mortgagor and the name and address of the intended vendee, transferee, assignee or mortgagee, and a general statement of the character of the merchandise or property intended to be sold, assigned, transferred or mortgaged, and the date when and the place where the purchase price or consideration, if any there be, is to be paid; and shall publish a copy of such notice in a newspaper of general circulation published in the [township] *judicial district* in which such stock in trade, fixtures or equipment are situated, if there be one, and if there be none in such [township] *judicial district*, then in such a newspaper in the county embracing such [township] *judicial district*, at least once, which publication shall be completed not less than five days before the date of such intended sale, transfer, assignment or mortgage; provided, nevertheless, that if such intended sale is to be at public auction the notice above required to be recorded and published shall state that fact, the time, terms, and place of said sale, the names and addresses of the vendor and auctioneer, and a general statement of the character of the merchandise or property intended to be sold; but such sale shall in no event occur within 10 days of the date of recordation of said notice; and any auctioneer selling said stock in trade or fixtures and store equipment of a baker, cafe or restaurant owner, garage owner, machinist, cleaner and dyer, or retail or wholesale merchant shall be personally liable for all damages incurred by any creditor of said merchant in the event said notice is not recorded and published as aforesaid; provided further, that the provisions of this section shall not apply or extend to any sale, transfer, or assignment of a stock in trade nor to any sale, transfer, assignment or mortgage of the fixtures, or store equipment, of a baker, cafe or restaurant owner, garage owner, machinist, cleaner and dyer, or retail or wholesale merchant made under the direction or order of a court of competent jurisdiction or by any executor, administrator, guardian, receiver,

or other officer or person acting in the regular and proper discharge of official duty, or in the discharge of any trust imposed upon him by law, nor to any transfer or assignment, statutory or otherwise, made for the benefit of creditors generally, nor by any assignee acting under such an assignment for the benefit of creditors generally nor to any mortgage or chattel mortgage made for the benefit of creditors generally, nor to any sale, transfer, assignment or mortgage of any property exempt *from execution.*

SEC. 6. Section 502 of the Vehicle Code is amended to read:

502 When Person Driving Under Influence of Liquor Guilty of Misdemeanor. (a) It is unlawful for any person who is under the influence of intoxicating liquor to drive a vehicle upon any highway. Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than thirty days nor more than six months or by fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction by imprisonment in the county jail for not less than ninety days nor more than one year or by a fine of not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000) or by both such fine and imprisonment.

(b) Whenever any person is convicted of a violation of this section it is the duty of the judge [or justice], unless, under the provisions of Section 307, the court recommends that there be no license suspension, to require the surrender to him of any operator's or chauffeur's license of such person and to forward the same to the department with the abstract of conviction as provided in Section 744 hereof, and the department shall suspend the driving privilege of any person so convicted as provided in Section 307

SEC 7 Section 739 of the Vehicle Code is amended to read:

739. When Person Arrested to Be Given Notice to Appear in Court. (a) Whenever a person is arrested for any violation of this code, not declared herein to be a felony, and such person is not immediately taken before a magistrate as hereinbefore required or permitted, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the license number of his vehicle if any, the offense charged and the time and place when and where such person shall appear in court.

(b) The time specified in said notice to appear must be at least five days after such arrest.

(c) The place specified in said notice to appear shall be either:

(1) Before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place where said arrest is made; or

(2) Upon demand of the person arrested, before a municipal court judge or other magistrate having jurisdiction of such offense at the county seat of the county in which such offense is alleged to have been committed or before a magistrate in the [township] *judicial district* in which the offense is alleged to have been committed.

(3) Before an officer authorized by the city, county, or city and county, to receive a deposit of bail.

(d) Said officer shall deliver one copy of said notice to appear to the arrested person and said arrested person in order to secure release must give his written promise so to appear in court by signing the duplicate notice which shall be retained by said officer Thereupon the arresting officer shall forthwith release the person arrested from custody.

(e) Said officer shall, as soon as practicable, file said duplicate notice with the *magistrate specified therein.* Thereupon the magistrate shall fix the amount of bail which in his judgment, in accordance with the provisions of Section 1275 of the Penal Code, will be reasonable and sufficient for the appearance of the defendant and shall indorse upon said notice a statement signed by him in the form set forth in Section 815a of the Penal Code. The defendant may, prior to the date upon which he promised to appear in court, deposit with the magistrate the amount of bail thus set Thereafter, at the time when the case is called for arraignment before the magistrate, if the defendant shall not appear, either in person or by counsel, the magistrate may declare the bail forfeited, and may in his discretion order that no further proceedings shall be had in such case

Upon the making of such order that no further proceedings be had, all sums deposited as bail shall forthwith be paid into the city or county treasury, as the case may be.

(f) No warrant shall issue on such charge for the arrest of a person who has given such written promise to appear in court, unless and until he has violated such promise or has failed to deposit bail, to appear for arraignment, trial or judgment, or to comply with the terms and provisions of the judgment, as required by law.

SEC. 8. Section 743.6 of the Vehicle Code is amended to read:

743.6 Procedure Upon Arrest Discretionary in Certain Cases. Whenever any person is arrested by any member of the California Highway Patrol for any violation of any State law regulating the operation of vehicles or the use of the highways declared to be a misdemeanor but which offense is not specified in this code, such person shall, in the judgment of the arresting officer, either be given a five-day notice to appear

in the manner hereinbefore provided or be immediately taken before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or most accessible with reference to the place where said arrest is made, or, upon demand of the person arrested, before a magistrate in the [township] *judicial district* in which the offense is alleged to have been committed.

SEC. 9. Section 744 of the Vehicle Code is amended to read:

744 Conviction to Be Reported to Department (a) Every [justice of the peace, magistrate or] judge of a court not of record shall keep a full record of every case in which a person is charged with any violation of this code.

(b) Within ten days after the conviction of a person for any violation of this code, excepting violations of Sections 586, 587 and 588 of this code relating to the improper parking of vehicles, every [justice of the peace, magistrate or] judge of a court not of record and every clerk of a court of record in which such conviction was had, shall prepare and immediately forward to the department at its office at Sacramento an abstract of the record of said court covering the case in which said person was so convicted which abstract must be certified by the person so required to prepare the same to be true and correct.

(c) Said abstract must be made upon a form furnished by the department and shall contain all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment and the amount of the fine or forfeiture, as the case may be

(d) The failure, refusal or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be ground for removal therefrom.

(e) The department shall keep all abstracts received hereunder at its office in Sacramento and the same shall be open to public inspection during reasonable business hours

(f) For the purposes of this section, a forfeiture of bail shall be equivalent to a conviction."

Amendment No. 3

On page 2, line 25, of said bill, strike out "5", and insert "10".

Amendment No. 4

On page 2 of said bill, strike out line 30, and insert "5, 1953 by the same laws and with the same force as if this".

Amendment No. 5

On page 2 of said bill, strike out line 34, and insert "until January 5, 1953."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 321—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declaration of candidacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Senate on April 27, 1951, strike out the first "the", and insert "any".

Amendment No. 2

On page 3, line 7, of said bill, strike out the first "the", and insert "any".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 945—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to the definition of needy child.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1, line 11, of the printed bill, strike out ", divorce".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "six," and insert "three".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1560—An act to amend Section 3440 of, and add Sections 3440.1 and 3440.5 to, the Civil Code, relating to transfers of particular personal property without delivery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 1, 1951, strike out line 19, and insert

"(d) Wines or brandies in the wineries or distilleries or wine cellars of the makers or".

Amendment No. 2

On page 1, line 20, of said bill, after "wines", insert "or brandies".

Amendment No. 3

On page 1, line 21, of said bill, after "wines", insert "or brandies".

Amendment No. 4

On page 1, line 22, of said bill, after "wines", insert "or brandies".

Amendment No. 5

On page 2, line 2, of said bill, after "wines," insert "brandies,".

Amendment No. 6

On page 2, line 21, of said bill, strike out "assignee", and insert "assignor".

Amendment No. 7

On page 2, line 30, of said bill, after "character", insert "and location".

Amendment No. 8

On page 2, line 31, of said bill, after "date", insert "when".

Amendment No. 9

On page 2, line 32, of said bill, strike out "the purchase price or consideration is to be paid", and insert "said sale, assignment, transfer, or mortgage is to be completed, and except in the case of a mortgage, the name and address of the escrow holder hereinafter required".

Amendment No. 10

On page 3, line 2, of said bill, after "transaction;" insert "provided however, if any claim presented is disputed, the escrow holder shall withhold a sufficient amount to pay said claim as presented until the correct amount of the claim is determined; and further".

Amendment No. 11

On page 3, line 37, of said bill, strike out "not", and insert "nor".

Amendment No. 12

On page 3 of said bill, between lines 40 and 41, insert

"(d) Wines or brandies in the wineries, distilleries or wine cellars of the makers or owners of the wines or brandies, or other persons having possession, care, and control of the wines or brandies and the pipes, casks, and tanks in which the wines or brandies are contained, if the transfers are made in writing and certified and verified

in the same form as provided for chattel mortgages, and if the transfers are recorded in the book of official records in the office of the county recorder of the county in which the wines, brandies, pipes, casks and tanks are situated."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 953—An act to add Section 1552.2 to the Welfare and Institutions Code, relating to aid to needy children in respect to payments in kind.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 7, 8, 9, and 10, of the printed bill, as amended in the Senate on May 3, 1951, strike out "Aid in kind shall be paid pursuant to rules and regulations of the State Department of Social Welfare which shall provide for such aid in accordance with minimum standards of adequate care.", and insert "The State Department of Social Welfare shall make and promulgate rules and regulations for the payment of aid under this section, so that such aid will be paid only in cases wherein it is shown to be necessary. Aid under this section shall be paid in accordance with minimum basic standards of adequate care as prescribed by Section 1511.5 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2922

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 1109
Senate Bill No. 1514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 46

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 15	Assembly Bill No 2022
Assembly Bill No. 593	Assembly Bill No. 2281
Assembly Bill No. 765	Assembly Bill No 3418

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 55

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 314

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1055

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2809?

Amendment No. 1

On page 2, line 4, of the printed bill, after "cattle", insert "or for the inspection of the hides thereof".

Amendment No. 2

On page 2, line 1, of the printed bill, as amended in the Senate on April 12, 1951, after "cattle", insert "originating".

Amendment No. 3

On page 2, line 3, of said bill, as amended, strike out ", except that the fee for the", and lines 4 to 7, inclusive, and insert a period.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2809 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 2809 ordered enrolled.

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 297?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "beam of light", and insert "lamps".

Amendment No. 2

On page 1, line 13, of said bill, after "regulation", insert ", and tow cars to the extent as provided in Section 586.5".

Amendment No. 3

On page 2, line 5, of said bill, strike out "five-tenths", and insert ".05".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 297 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 297 ordered enrolled.

Assembly Bill No. 355—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 355?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"7.1. The authority of a county board of supervisors to grant, deny, terminate, increase or decrease aid as provided in Chapter 1 of Part 2 of Division 2, Chapter 1 of Division 3, Chapter 2 of Division 4 or Division 5 of this code may be exercised by an agent when duly authorized by resolution of such board."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 355 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Levering,

Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Tomlinson—57.

NOES—None.

Assembly Bill No. 355 ordered enrolled.

Assembly Bill No. 3403—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3403?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 19, 1951, strike out "less", and insert "more".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3403 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 3403 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1534 WAIVED

Mr. Beck waived his notice of motion to reconsider the vote whereby Senate Bill No. 1534 was passed.

Senate Bill No. 1534 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1060 WAIVED

Mr. Brady waived his notice of motion to reconsider the vote whereby Senate Bill No. 1060 was passed.

Senate Bill No. 1060 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No 61

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 57
Assembly Constitutional Amendment No. 59

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Speaker Pro Tempore Presiding

At 10.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Smith, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—Burke and Hagen—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 454—An act to amend Section 737g of the Political Code and Section 79.7 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, and Waters—55.

NOES—Cloyed, Dunn, and Luckel—3.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Respectfully submitted.

LAUGHLIN E. WATERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Waters:

An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3434: By Mr. Waters—An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "during hours", and insert "between the hours of 7 a.m. and 7 p m."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2002—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—None.

On May 30, 1951, the Assembly requested the Senate to return Assembly Bill No. 251 (page 4913), and the Senate returned the bill on June 1st (page 4986).

On June 1, 1951, the record was expunged, and the action rescinded whereby the Assembly, on this day, passed **Assembly Bill No. 251** (page 4986).

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No 3159

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2880

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3387—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2795—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.52 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 914—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2648—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT RESOLUTION BE PRINTED IN THE JOURNAL AND THAT SUBJECT MATTER BE RE-REFERRED TO THE COMMITTEE ON RULES

Mr. Dills asked for, and was granted, unanimous consent that a resolution be ordered printed in the Journal, in 10 point type, as follows, and that the subject matter be ordered referred to the Committee on Rules:

Resolution

WHEREAS, It has come to the attention of the California Press Club that certain Members of the State Senate and Assembly, including but not limited to Assembly Speaker pro Tempore Thomas A. Maloney, profess to excel at the ancient and honorable Scottish game of golf; and

WHEREAS, The California Press Club has good cause to believe that no such condition obtains in either house, and, to the contrary, many members have basic misconceptions of the game and the implements used in playing it; now, therefore, be it

Resolved, That the California Press Club does hereby challenge the California Senate and Assembly to a golf tournament on Sunday, June 10th, for the purpose of correcting a deplorable situation in which:

Assemblyman Earl Stanley believes a driver is what every high school student should learn to be;

Senator John F. McCarthy is of the opinion that a green is what Irishmen wear on St. Patrick's Day;

Assemblyman Richard Dolwig thinks a sandtrap is a subject for investigation by his committee on tideland and reclamation;

Assemblyman Patrick McGee presumes a mashie to be a female masher;

Senator Paul Byrne concludes that a putter is something you do while waiting for a quorum;

Assemblyman John L. E. (Bud) Collier would use a spoon as an ingredient in delectable southern spoon bread;

Senator Luther Gibson relates that a tee is a formation in football;

Assemblyman Lester McMillan is convinced that out of bounds is what minors should be when they attempt to buy liquor;

Senator George Miller, with eloquence—will debate that an Acushnet is a device used for taking acushes in the Sacramento River;

Assemblyman Maloney contends a bad lie is what Los Angeles says about San Francisco;

Senator Hugh Burns believes irons are what all Communists should be put in;

Assemblyman Thomas Doyle will testify a bag boy is a youthful collector for a crooked politician; and, be it further,

Resolved, That the Senate and Assembly are hereby authorized to recruit members of the Pal's Club to round out their team if they find themselves short of suitable material.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 63: By Mr. Waters—Relative to maps of assembly, senatorial, and congressional districts.

Referred to Committee on Rules.

MEMBERS EXCUSED

At 11.07 a.m., Mr. Smith asked for, and was granted, unanimous consent that Mr. Lipscomb be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 11.08 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2942—An act to amend Section 586 of the Vehicle Code, relating to the prohibited places where vehicles may stop, stand or park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2770

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2770, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2770

Assembly Bill No. 2770—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "regularly licensed hospital, sanitarium,".

Amendment No. 2

On page 1, line 15, of said bill, strike out "the person to be", and insert ", as a result of his personal observation, that the person is".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2562—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2808, on motion of Mr. Lowrey.

Assembly Bill No. 2086, on motion of Mr. Grant.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63.

NOES—Cloyed and Luckel—2.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MORRIS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 305

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 305, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 305

Assembly Bill No. 305—An act to add Section 172b to the Penal Code, relating to selling, giving away, or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1109—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26271(a), 26272, 26273, 26274, 26275, 26288, 26290, 26292, and 26360 of, and to add Sections 26202.5, 26202.7, 26211.5, 26286.5, 26286.6, 26293.5, 26305, to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1389

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1389, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1389

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—53
NOES—Condon, Evans, Hahn, Hinckley, McMillan, Morris, and Waters—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1390

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1390, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1390

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the City of Monterey, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.
NOES—Hahn, Luckel, and Morris—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11 36 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 782

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 782, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 782

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, and Section 1 of an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, relating to paroles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2457

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2457—An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add Section 4109 to the Gov-".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 4109 is added to the Government Code to read:

4109 The provisions of this chapter shall apply only with respect to subcontractors who have filed with the general contractor, at least 24 hours before the opening of bids a bond in an amount not less that the amount payable to the subcontractor under the bid. The bond shall be executed by either two or more good and sufficient sureties or by a corporate surety, as provided by law, in an amount not less that the sum specified in the bond. The bond shall be in favor of the contractor and shall be conditioned upon the faithful performance of the work bid upon and shall provide that if the subcontractor fails to pay for any materials, provisions, provender, or other supplies, or teams, used in, upon, for or about the performance of the work contracted to be done, or for any work of labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that the surety or sureties will pay for the same, in an amount not exceeding the sum specified in the bond, and shall also provide, in case suit is brought upon the bond, a reasonable attorney's fee, to be fixed by the court.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 2457

Mr. Lyon asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2457.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3165—An act to add Section 12516 to the Business and Professions Code, relating to weighing of livestock.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Waters—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 211	Senate Bill No. 1578
Senate Bill No. 213	Senate Bill No. 1695

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported Senate Bills Nos. 211, 1578, and 1695 ordered to second reading.

Above reported Senate Bill No. 213 ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 57
Assembly Constitutional Amendment No 59

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 61

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 35

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1153
Assembly Bill No. 3145

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 3417

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 53

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 663

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3101

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2601
Assembly Bill No. 2802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2069
Assembly Bill No. 2366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bills ordered to second reading.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Clarke:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, prescribing specified concerted interferences with the transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom

Respectfully submitted.

GEORGE A. CLARKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Clarke:

An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, prescribing specified concerted interferences with the transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 2.01 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Condon, Conrad, Davis, Dickey, Dunn, Elliott, Gaffney, Geddes, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lyon, McMillan, Moss, Niehouse, Parker, Stanley, Stewart, Thomas, Tomlinson, and Waters—28.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENT

Speaker Sam L. Collins announced that word has been received from the Senate that Senators are waiting for explanations of Assembly bills now pending on their file, and urged all members to cooperate by immediately supplying said explanations for their bills.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.1, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 115

By Mr. McCollister:

House Resolution No. 115

Relating to investigation and study of licensing of masseurs and masseuses

WHEREAS, There is no provision in California law for the licensing of masseurs and masseuses, but such persons are licensed in other states; and

WHEREAS, The American Association of Masseurs and Masseuses is a respected professional organization of masseurs and masseuses; and

WHEREAS, Assembly Bill No. 2326 has been introduced before this session of the Legislature, relating to the licensing of masseurs and masseuses; now, therefore, be it

Resolved by the Assembly of the State of California, That any interim committee of the Assembly which may be hereafter created for the investigation or study of public health is directed to consider the proposition of licensing masseurs and masseuses in California, to consult with the American Association of Masseurs and Masseuses in that matter, and to study the text of Assembly Bill No. 2326, introduced before this session of the Legislature.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 144

By Mr. McCollister:

House Resolution No. 144

Relative to requesting the Assembly Interim Committee on Interstate Cooperation to ascertain facts relating to motor vehicle registration

WHEREAS, The Assembly Interim Committee on Interstate Cooperation created by House Resolution No. 216, 1949 Regular Session, was directed to and did study and investigate facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis; and

WHEREAS, It appears that certain additional facts are necessary in order that the Assembly may intelligently legislate upon this complicated subject, particularly facts relating to the operation of the so-called "staggered system" of vehicle registration now in use in the States of Oregon, Missouri, and Wisconsin, and the problems which may have arisen in connection therewith; and

WHEREAS, A new committee on Interstate Cooperation has been created by House Resolution No. 105 of this 1951 General Session of the Legislature and it appears that the experience gained by the members thereof qualify this committee for the task of ascertaining such additional facts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee On Interstate Cooperation, (created by House Resolution No. 105, 1951 General Session) be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis so as to permit, as far as possible, uniform distribution of the work of registration throughout each month of the calendar year and the establishment of 12 registration periods of 12 months duration, and particularly all facts relating to the systems of this nature now in use in the States of Oregon, Missouri, and Wisconsin, including but not limited to the operation, effect, administration, and enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation; and be it further

Resolved, That in carrying out the duties imposed upon it by this resolution the committee shall have all the powers and duties prescribed in said House Resolution No. 105 (1951 General Session) and particularly shall be authorized to make this study in conjunction with the Department of Motor Vehicles and to contract with the Department of Motor Vehicles for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes of this resolution; and be it further

Resolved, That in addition to any money heretofore made available the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available to the committee from the unallocated balance of the money previously made available to the Committee on Interstate Cooperation by House Resolution No. 216 of the 1949 Regular Session, for the expenses of the Assembly Committee on Interstate Cooperation (created by House Resolution No. 105, 1951 General Session) and its members, and for any charges, expenses, or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCollister, McFall, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—45.

NOES—Beck, George D. Collins, Conrad, Erwin, Grunsky, Hahn, Hinckley, Kirkwood, Klocksiem, McCarthy, McGee, Moss, and Rosenthal—13.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 723	Assembly Bill No. 1267
Assembly Bill No. 805	Assembly Bill No. 1658
Assembly Bill No. 1265	Assembly Bill No. 1783
Assembly Bill No. 1266	Assembly Bill No. 3425

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 62

By Mr. Condon:

House Resolution No. 62

WHEREAS, The Attorney General of California is the legal adviser for state agencies and in that capacity prepares and issues official opinions of importance to such agencies and to the legislative body; and

WHEREAS, Such opinions are regularly published and available at the rate of $29 per annual subscription (plus tax) and at the rate of $150 per set (plus tax) for complete sets of the back numbers of the bound volumes; now, therefore, be it

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions and for the use of Members of the Assembly a total

of 81 subscriptions for the biennium beginning January 1, 1951 at an aggregate cost of $4,698, plus tax; and be it further

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions for the use of new Members of the Assembly 13 sets of back numbers of the bound volumes of such opinions at an aggregate cost of $1,950, plus tax.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the measure, as printed in the Assembly Journal of January 23, 1951, page 973, in the second "Whereas" clause, in the second line, after "subscription (plus tax)", strike out "and at the rate of $150 per set (plus tax) for complete sets of the back numbers of the bound volumes".

Amendment No. 2

In said measure, as printed, strike out all of the first and second "Resolved" clauses, and insert

"*Resolved*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase from the publisher of such opinions for the use of the Members of the Assembly, upon request, a total not to exceed eighty-one (81) subscriptions for the biennium beginning January 1, 1951, at an aggregate cost not to exceed five thousand dollars ($5,000); and, be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants upon the Contingent Fund of the Assembly in favor of the publisher of said opinions in payment of these bills when properly presented, not to exceed a total amount of five thousand dollars ($5,000)."

Amendments read, and adopted.

Consideration of House Resolution No. 62, as Amended

By Mr. Condon:

House Resolution No. 62

WHEREAS, The Attorney General of California is the legal adviser for state agencies and in that capacity prepares and issues official opinions of importance to such agencies and to the legislative body; and

WHEREAS, Such opinions are regularly published and available at the rate of $29 per annual subscription (plus tax); now, therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase from the publisher of such opinions for the use of the Members of the Assembly, upon request, a total not to exceed eighty-one (81) subscriptions for the biennium beginning January 1, 1951, at an aggregate cost not to exceed five thousand dollars ($5,000); and, be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants upon the Contingent Fund of the Assembly in favor of the publisher of said opinions in payment of these bills when properly presented, not to exceed a total amount of five thousand dollars ($5,000)."

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—Luckel and Sherwin—2.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2261—An act to amend Sections 44 and 45.5 of to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2487—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4; and in line 5, strike out "the quantity of the commodity shall be the", and insert "Baled wiping rags may be sold by the gross weight of the container and contents. The".

Amendment No. 2

On page 1, line 6, of said bill, strike out ", which", and insert "and contents".

Amendment No. 3

On page 1, line 8, of said bill, strike out ", provided, that there", and insert ". There".

Amendment No. 4

On page 1, line 9, of said bill, after "at", insert "no more than".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 2.26 p.m., on motion of Mr. Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Clarke to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3435: By Mr. Clarke—An act to add Chapter 11, comprising Sections 1300 50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, prescribing specified concerted interferences with the

transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1498—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—Condon, Cooke, Geddes, and Hagen—4.

Bill ordered transmitted to the Senate

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737.1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 14, 1951, strike out "amend Section 16271", and insert "add Section 16271.2".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 16271.2 is added to the Education Code to read:

16271.2. The governing board of any school district may use school busses to transport graduating twelfth grade pupils attending the schools of the district and teachers or other employees employed by the district to and from other states for educational excursions. The transportation may be provided on any day or days throughout the school year.

In computing the average daily attendance of a school district, there shall be excluded the attendance of such pupils, while being transported on such educational excursions.

Any school district which transports graduating twelfth grade pupils attending the schools of the district, or teachers or other employees of the district to and from other states for educational excursions shall report to the Superintendent of Public Instruction on forms prescribed by him the total mileage of school busses used in connection with such educational excursions. In computing the additional allowance to such school district for transportation there shall be deducted therefrom an amount equal to the depreciation of school busses used for such transportation in accordance with rules and regulations adopted by the Superintendent of Public Instruction."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1736—An act to add Section 545 to the Municipal Utility District Act and Section 12106 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency hereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 272—An act to amend Section 12155 of the Revenue and Taxation Code, relating to the taxation of marine insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 458

Mr. Cooke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 458, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 458

Senate Bill No. 458—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 742—An act to add Section 13077 to the Government Code, relating to contracts between a nonprofit corporation or foundation and an educational institution maintained in whole or in part by state appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1589—An act to amend Sections 25008 and 25102 of the Corporation Code, relating to securities.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Silliman moved a call of the Assembly.

Motion carried. Time, 2.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brown, Cloyed, Coats, Davis, Hollibaugh, Kelly, Luckel, McMillan, Morris, Niehouse, Rosenthal, Shaw, and Stewart—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Parker asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 739—An act to amend Sections 18632, 18633, and 18634 of the Business and Professions Code, continuing in existence the Athletic Commission Fund in the State Treasury, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 980—An act to add Article 11, comprising Sections 20621 and 20622, to Chapter 2 of Division 10 of the Education Code, relating to state college police.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1026—An act to add Section 6102 5 to the Government Code and to repeal Section 4295a of the Political Code, relating to fees for official services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 75

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 869
Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Mr Chapel asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 61, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 61

Assembly Concurrent Resolution No. 61—Relative to approving amendments to the charter of the City of Redondo Beach, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1242

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1242, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1242

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 48

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 48, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 48

Senate Concurrent Resolution No. 48—Relative to Central Valley Project investigation and studies.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—George D. Collins, Condon, Dunn, Elliott, Evans, Henderson, and McMillan—7.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 57

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 57, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 57

Senate Concurrent Resolution No. 57—Relative to the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 733, on motion of Mr. Lindsay.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 505

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 505, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 505

Senate Bill No. 505—An act to amend Sections 14441, 14449.1, 14449.2, 14452, 14638, 14641, 14680, 14681, and 14683 of, and to add Section 14575.1 to, the Education Code, relating to the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 506

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 506, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 506

Senate Bill No. 506—An act to amend Section 14634 of the Education Code, relating to the computations of service of members of the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 279

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 279, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 279

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1589

At 3.16 p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1589 passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—46.

NOES—Belotti, Brady, Burkhalter, Chapel, George D. Collins, Condon, Cooke, Crowley, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Hawkins, Henderson, McCollister, McFall, McMillan, Munnell, Parker, Porter, Rumford, and Thomas—24.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 73—Relative to expressing regret at the passing of John F. Dalton.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 146

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 146, temporarily passed on file, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 146

By Mr. Lyon:

House Resolution No. 146

Relative to requesting the California Highway Commission to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles

WHEREAS, Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now a state highway, being a portion of Route 162, in the County of Los Angeles, and

WHEREAS, The said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now divided and separated into two roadways by the unimproved right of way of the Pacific Electric Company; and

WHEREAS, The unimproved right of way of the Pacific Electric Company, including utility poles, exposed rails and ties, and separating curbings, constitutes an unsafe and unsightly obstruction to the traveling public, as well as to the merchants and residents of the immediate area; and

WHEREAS, It may become necessary to seek special funds for the alleviation of said condition, and for that purpose it is desirable that a preliminary survey be made and preliminary plans and estimate of costs be developed; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission be, and is hereby, requested to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of the said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles, which improvement shall include the relocation of utility poles, the removal of curbings which now separate the roadways from the Pacific Electric unimproved

right of way, and the paving of the entire surface of said Santa Monica Boulevard, including the area within the unimproved Pacific Electric right of way and between the rails therein, the said rails to be at the same grade as the adjoining highway pavement; and be it

Resolved further, That the California Highway Commission report to the Assembly on this matter not later than five days after the commencement of the Budget Session of 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 519	Assembly Bill No. 2496
Assembly Bill No. 1715	Assembly Bill No. 2686
Assembly Bill No. 2363	Assembly Bill No. 2936

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 91	Assembly Bill No. 1049
Assembly Bill No. 885	Assembly Bill No. 1248
Assembly Bill No. 1045	Assembly Bill No. 2018

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2363, 1045, 1049, and 2018 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2686 and 1248 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos 885, 519, 1715, 2936, 2496, and 91 re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1981

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 1981, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1981

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the vote whereby Assembly Bill No. 1981 was passed be reconsidered.

Demand for Previous Question

Messrs. Hinckley, Doyle, Burke, Morris, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed.

The roll was called, and reconsideration refused by the following vote:

AYES—Babbage, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Cooke, Elliott, Gaffney, Gubser, Hagen, Henderson, Hinckley, Klocksiem, Lyon, McFall, Meyers, Moss, Rosenthal, Shaw, Smith, Stewart, and Waters—24.

NOES—Berry, Brady, Burke, Clarke, Cloyed, Collier, Connolly, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Holibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Thomas, Tomlinson, and Mr. Speaker—40.

Assembly Bill No. 1981 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 36: By Mr. Levering—Relative to prohibiting payment of federal public funds to certain persons.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 64: By Messrs. Elliott and George D. Collins—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider Assembly Bill No. 3409 lapsed.

Assembly Bill No. 3409 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2457

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2457 re-referred to the Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Revenue and Taxation, in Room 3184.
Civil Service and State Personnel, in Room 426.

Today Upon Adjournment—

Ways and Means, in Room 435. Subject: Capital Outlay Bills.
Municipal and County Government, in Room 2170.
Transportation and Commerce, in Room 3184.

Tomorrow, Friday, May 18th, at 9 a.m.—

Rules, in Room 3186.

Next Monday, May 21st, at 8 p.m.—

Judiciary, in Room 435. Subject: Senate Joint Resolution No. 8.

It was announced that the following committee would hold no meeting tonight:

Industrial Relations.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to Hon. J. J. Prendergast of Redlands, former Member of the Legislature.

On request of Messrs. Connolly and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. W. C. Judge of Orinda.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marian M. Latchie of San Francisco.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to C. J. Carpenter, Sponsor, Mrs. Ruby B. Campodonica, adult, and the following Junior Statesmen of Livingston School: Eleanor Campodonica, Marilyn Barnes, Mary Ann Klimas, Jean De Vere, Doris Thompson, Gloria Nash, Billy Pickle, Dan Wilkinson, Richard Picton, Richard Biggers, Bruce Prine, Shirley Struckman, Shirley Brazil, Robert Nash, Max Dahlgren, Jack Robberson, Kathleen Valladao, and Beverly Tuoto.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jackson, teacher, and the following pupils of the McClymond School: Jeannette Addison, Pauline Andrews, Robert Brown, Rosita Canonizado, Carol Chinn, Julia Clark, Velma Cobb, Earlene Dokes, Paul Ebisui, Ray Goodwin, Mildred Harris, Morris Hill, Lyman Hollins, James Jackson, Joe Jacobs, Roy

Johnson, Willie King, Katie Long, Yvonne McElroy, Bruce McMahon, Willie Rock, Ruth Scott, Claudette Smith, Thurston Suber, Theodore Taylor, Geraldine Thompson, Velma Turner, Martha Walker, Jeff Ward, Jeff Warren, Kathryn Washington, Archie Whitley, Charlotte Williams, Clementine Williams, James Mepore, and Othella Young.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to W. Ray Miller, teacher, and the following pupils of the Winters School: Joan Alexander, Patricia Baker, Bertie Birdwell, Leo Blaylock, John Brinck, Nelda Burket, Kay Butler, Shirley Cannon, Colleen Clayton, Victoria Cole, Joe Crites, John Echols, Barbara Graf, Otis Griffin, Byron Hartzog, Joseph Hesseltine, Louis Invernon, Robert Islip, Mary Lou Kidder, Delbert Mayer, Wanda McDowell, Roselee Partain, Marilyn Potter, Richard Rojo, Roy Rose, Richard Snow, Katherine Sparks, Barbara Stiles, Noboru Takahashi, Anita Underwood, Jimmy Lawrence, and Pearl Martin.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Florence Petty and Mr. and Mrs. James Sheridan of San Diego.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Tommy Davis, U. S. N.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mr. De La Kocha, teacher, and the following pupils of the Franklin School: Bob McCain, Wayne Hansen, Lynn Kloss, Allen Sprock, Larry Saner, Bob Fernandes, Eddie Horat, Richard Fogg, Toni Watson, Gary Roger, Walter Hoppe, Don Veninga, Tom Watson, Angy Rogers, Dale Sassman, Vernon Schultz, Tom Kamerir, Ben Stephens, Sally Sims, Bonnie Lillico, Joyce Rau, Ernest Buda, Leon Stocker, Lorn Schmidt, Rena Garavalia, Luella Kammerer, Joann Lapp, Henrietta Hoppe, Sharon Koster, Darlene King, Peggy Nevin, Joanne Baron, Janice Kelly, Mary Soares, Jeanette Mantz, Joan Sprock, Kenny Buscher, Clyde Stribbling, and Tyrone Schultz.

On request of Mr Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Harry J. Burcell, teacher, and the following pupils of the Loomis School: Isabel Arellano, Gail Florese Ackerley, Alethia Thelma Bailon, Ruth Willeen Beaver, Joanie Colleen Beckett, Patsy Ruth Brown, Richard Eugene Carl, Clay Carter, Eugene Duane Classon, Eugene Franklin Dolce, Charlotte Evelyn Eubank, John M. Farmer, Mervin Doyle Frost, Peter E. Gieck, Eddie Ray Harris, Aiko Hashiyama, Patricia Lucille Hicks, Jeffrey Dickson Hood, Robert Hutt, Robert Lee Kaufman, Donald Kelly, Arthur H. Krueger Jr., Ruth Carol Madden, Edward Tellez Leighton, Chesney Lee Mahlberg, James Charles McMaster, Setsuko Morimoto, Charles Teruo Nomura, LaVonne D. Peek, Suzanne Reyen Poirier, Alfred Lawrence Porter, Verna L Postell, Michael Lee Simpson, Leonard Alan Smith, Roberta Marie St. Jeor, Frank Vega, Barbara Jean Warren, and Jacqueline Irene Watts.

On request of Mr Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bernice Melin, Mrs. Mary Mathews, and Miss Irene Allyn, teachers, and the following pupils

of the Lincoln School: Carolyn Boyer, Arthur Chin, Janet Chinn, Shirley Chin, Ken Tate Chong, Ivan Chou, Bok Fong Chu, Sylvia Chun, Robert Der, Eddie Fong, May Fong, Miriam Fong, Corinne Garcia, Roderic Gue, Henry Jue, Herman Ju, Patricia Kinehan, Reiko Kuritsubo, Danny Lee, Harvey Lee, Janet Lee, Jeff Lee, William Leung, Deanna Lim, Tin Lee, Tony Lee, Mayflower Louie, Margaret Lum, Sung Sing Soo Hoo, Rosita Mateo, Marianne Ong, Leticia Sanano, Florence Wong, Jack Wong, Robert Wong, June Yamane, Jim Foon Yee, and May Yee.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Dunn, W J Garrett, and M. A. Meyer of Fresno.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Charles L. Sullivan, Miss Theresa Murphy, and William Martin, teachers, Mrs. Louis Little, Mrs. Martin Anderson, Mrs. John Dorris, Mrs Lambrecht, Mr and Mrs Charles Wells, James Pulson, Mrs. Schwartz, and Mrs Dorothy Dellagana, adults, and the following pupils of the Fairfield School: Robert Alexander, Dennis Anderson, Floyd Ray Banks, Johnny Dorris, Joseph Flores, Gene Garriot, Pat Garriot, David Graves, Billy Letterman, Wayne Little, Ronald Molesworth, Jack Piper, Verlen Reeves, Vernon Rogers, Norman Scott, Ronald Westphal, Jim Wilson, Kathleen Bartley, Lillian Cox, Dorothy Danielson, Luann Finn, Alta Gimlin, Martha Huffman, Jo Ann Maltagliati, Jeannette Rellis, Violet Rushing, Carolyn Williams, Juanita Scrivner, Doreen Simmers, Lillian Morene Smith, Betty Sue Whitaker, Beverly Tillman, Joyce Zumpano, Wanda Conner, Jo Anne DeBoyce, Dorothy Inman, Donna Lambrecht, Charlotte Lockwood, Barbara Naugle, Beatrice Naugle, Mary Parkenson, Jacquelyn Witt, Marcia Blaisdell, Wenda Chapman, Melisse Jewette, Edna Escano, Mary Ann LeComte, Mary McKee, Betty Porter, Eleanor Rogers, Ada Tillotson, Janice Walton, Veta Wells, and Evelyn Wheatley.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to L. C. De Armond of Portola and H. O. Williams of Quincy.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Barbara Jean Nevil, Carol Ann Nevil and Mr. and Mrs. James A. Nevil of San Francisco.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Josie Bishop of Mojave.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Ruth Martin and Floyd Buchanan, teachers, Mr. and Mrs. Reese Hays, Mrs. Martin Hansen, Mrs. Theodore Smith, Mrs. Joseph Crouch, and Spencer Reeves, adults, and the following pupils of the Adams School: Norbert Anderson, Tom Beach, Robert Bechtel, Dennis Bushman, Marlen Clough, Gary Marshall, Steve Nelson, Jerry Newstrom, Tom Reeves, Susan Crouch, Pat Glenn, Kay Gustafsen, Lynne Hutchison, Stephanie Lawson, Virginia Mitchell, Betsy Nield, Janice Paine, Valerie Sneeringer, Ronald Allen, Bruce Edwards, John Fraser, Richard Hays, Warren Jones, Leonard Gothrick, Timothy Matthews, Adolph Mello, John Schwammel, Donald Smith, Donald

Stewart, James Timmis, Deanna Conner, Darlene Lindsey, Elizabeth Scholz, Ima June Shockley, Marlene Shahbazian, Cheryl Wulfing, and Phyllis White.

ADJOURNMENT

At 3.57 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 18, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SECOND LEGISLATIVE DAY

EIGHTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 18, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Grant us, O Heavenly Father, Strength and wisdom for the duties of this new day. Guide all who are in authority in our Nation. Enrich our lives with those virtues that fill the long day with satisfaction, and endow us with the treasures of keener understanding and diviner strength of character. Bless our families and loved ones We thank Thee for the forces that make up our democracy.

"Lord, let me not be too content,
With life in trifling service spent—
Make me aspire!
When days with petty cares are filled
Let me with fleeting thoughts be thrilled
Of something higher!"

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cloyed, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lyon, on motion of Mr. Clarke.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING IN SENATE BE PLACED UPON MORNING ROLL CALL

Mr. Cloyed asked for, and was granted, unanimous consent that the names of members attending a meeting in the Senate, at this time, be placed upon the morning roll call as follows:

Mrs. Niehouse and Mr. Luckel.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the Fourteenth Session of the California Boys' State, sponsored by the American Legion, Department of California, be permitted to use the Assembly Chamber on Thursday, June 28th, for the purpose of holding inaugural ceremonies.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1954—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

In Section 9819, on page 3, paragraph 2, line 16, strike out the word "extended."

In Section 9819, page 3, paragraph 3, line 25, strike out the words "if agreeable with the parent or guardian."

Amendment read ~~, and adopted.~~

~~Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.~~

Request for Unanimous Consent to Rescind Action on Amendment on Assembly Bill No. 1954

Mr. Sherwin asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted the amendment offered by the Committee on Ways and Means to Assembly Bill No. 1954.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 12 to Division 4 of", and insert "amend Sections 9801, 9802, 9807, 9807.1, 9807.2, 9808, 5153.5, 7102.1 and 7104 of, and to add Sections 9801.1, 9801.2, 7102.2 and 7104.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "handicapped", and insert "retarded".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 26, inclusive; and strike out all of pages 2, 3, and 4 of said bill, and insert

"SECTION 1. Section 9801 of the Education Code is amended to read:

9801. "Mentally retarded minors" means all minors [of compulsory school age] who because of retarded intellectual development as determined by individual psychological examination are incapable of being educated profitably and efficiently through ordinary classroom instruction [but who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted] .

SEC. 2. Section 9801 1 is added to said code to read:

9801.1. The education of mentally retarded minors who are of compulsory school age and who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted shall be provided for in the manner set forth in this chapter.

SEC. 3. Section 9801.2 is added to said code to read:

9801.2. The education of mentally retarded minors who do not come within the provisions of Section 9801 1, who are five or more, and less than ten, years of age, and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, may be provided for in the manner set forth in this chapter.

Each school district or county superintendent of schools maintaining special training schools or classes for such mentally retarded minors may limit the number of minors to be admitted to such schools or classes.

Any such minor who becomes ten (10) years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year.

SEC. 4. Section 9802 of said code is amended to read:

9802. The governing board of any elementary or unified school district which has an average daily attendance of nine hundred or more shall provide for the education *in special training schools or classes* of mentally retarded minors residing [therein] *in the district who come within the provisions of Section 9801.1* and who are not in attendance upon *other* special training schools or classes maintained [by a high school district, either in special training schools or classes maintained by such district or, as provided in this chapter, in special training schools or classes maintained by another such district or by a county superintendent of schools] *under the provisions of this chapter*.

The governing board of any elementary or unified school district may provide for the education of mentally retarded minors residing in the district who come within the provisions of Section 9801.2.

SEC 5. Section 9807 of said code is amended to read:

9807. County superintendents of schools shall establish and maintain special training schools or classes for mentally retarded minors who reside in the county and in *elementary or unified school* districts which have an average daily attendance of less than nine hundred *and who come within the provisions of Section 9801.1*. Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them All costs incurred by the county superintendent of schools under this chapter shall be paid by him from the county school service fund.

County superintendents of schools may establish and maintain special training schools or classes for mentally retarded minors who reside in the county and who come within the provisions of Section 9801.2.

SEC. 6. Section 9807.1 of said code is amended to read:

9807.1. The governing board of any school district otherwise required *or authorized* to maintain special training schools and classes under [Section 9802] *Sections 9802 and 9802.1* for mentally retarded minors may provide for the education of such minors in, and for the transportation of such minors to, special training schools or classes maintained by another school district or by a county superintendent of schools under this chapter, subject to such terms and conditions as may be agreed upon.

SEC. 7. Section 9807.2 of said code is amended to read:

9807.2. Any county superintendent of schools otherwise required *or authorized* to maintain special training schools and classes under Section 9807 for mentally retarded minors may provide for the education of such minors in, and for the transportation of such minors to, special training schools or classes maintained by a school district or by a county superintendent of schools under this chapter, subject to such terms and conditions as may be agreed upon.

SEC. 8. Section 9808 of said code is amended to read:

9808. The county superintendent of schools shall on or before July 15th of each year, certify to the county auditor and the board of supervisors the amount of money required to be raised by a county tax for the education of mentally retarded minors *who come within the provisions of Section 9801.1* and for rental of property by the county superintendent of schools *for special training schools or classes for such minors. The county superintendent of schools shall also on or before July 15th of each year, certify to the county auditor and the board of supervisors the amount of money required to be raised for the education of mentally retarded minors who come within the provisions of Section 9801.2*. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.

The board of supervisors shall at the time of levying other county taxes levy a county tax for the education of mentally retarded minors *who come within the provisions of Section 9801.1* upon the taxable property of the county sufficient to produce the amount required *and may increase such tax in such amount as will produce the amount required for the education of mentally retarded minors who come within the provisions of Section 9801.2*. The amount received from this tax shall be deposited in the county school service fund.

SEC. 9. Section 5153.5 of said code is amended to read:

5153.5. (a) In addition there shall be provided such [sum] *sums* as the Superintendent of Public Instruction shall [certify as necessary to reimburse school districts for 75 percent of the excess cost of educating mentally retarded minors, including transportation, during the preceding fiscal year, but not in excess of one hundred dollars ($100) for each unit of average daily attendance during the preceding school year of mentally retarded minors given instruction by the district in special schools or classes.]

[(b) In addition there shall be provided such amount as the Superintendent of Public Instruction shall certify as necessary to reimburse the county school service fund of each county for 75 percent of the excess cost to the county superintendent of schools of each county of educating mentally retarded minors, including transportation, during the preceding fiscal year, but not in excess of one hundred dollars ($100) for each unit of average daily attendance during the preceding school year of mentally retarded minors given instruction by the county superintendent of schools in special schools or classes] *allow to school districts and county school service funds under Sections 7102.1 and 7104*.

SEC. 10. Section 7102.1 of said code is amended to read:

7102.1. The Superintendent of Public Instruction shall allow to each school district an amount equal to 75 percent of the excess cost, *including transportation*, to the school district [educating mentally retarded minors, including transportation,] *of educating mentally retarded minors who come within the provisions of Section 9801.1* during the preceding fiscal year in special schools or classes but not in excess of one hundred dollars ($100) per unit of average daily attendance of such minors.

SEC. 11. Section 7102.2 is added to said code to read:

7102.2. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess cost to the district, including transportation, of educating mentally retarded minors who come within the provisions of Section 9801.2 during the preceding fiscal year but not in excess of two hundred dollars ($200) per unit of average daily attendance of such minors.

SEC. 12. Section 7104 of said code is amended to read:

7104. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to 75 percent of the excess cost, *including transportation*, to the county superintendent of schools of education of mentally retarded minors[, including transportation,] *coming within the provisions of Section*

9801.1, during the preceding fiscal year in special schools or classes but not in excess of one hundred dollars ($100) per unit of average daily attendance of such minors.

SEC 13. Section 7104 1 is added to said code to read:

7104.1. The Superintendent of Public Instruction shall allow to each county school service fund an amount equal to the excess cost to the county superintendent of schools, including transportation, of educating mentally retarded minors who come within the provisions of Section 9801.2 during the preceding fiscal year but not in excess of two hundred dollars ($200) per unit of average daily attendance of such minors.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 424
Assembly Bill No. 1529
Assembly Bill No. 2487
Assembly Bill No. 2941
Assembly Bill No. 3254

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 766
Assembly Bill No. 1611

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER. Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 733

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2553

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 218

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1072

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 94
Senate Bill No. 108
Senate Bill No. 509
Senate Bill No. 610
Senate Bill No. 914
Senate Bill No. 1579
Senate Bill No. 1605
Senate Concurrent Resolution No. 44
Senate Joint Resolution No. 22
Senate Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 492
Assembly Bill No. 652
Assembly Bill No. 672
Assembly Bill No. 747
Assembly Bill No. 754
Assembly Bill No. 980
Assembly Bill No. 1014
Assembly Bill No. 1015
Assembly Bill No. 1314
Assembly Bill No. 1873
Assembly Bill No. 2012
Assembly Bill No. 3407

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 11
Assembly Bill No. 75
Assembly Bill No. 383
Assembly Bill No. 653
Assembly Bill No. 1869
Assembly Bill No. 1990

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 296
Senate Bill No. 596
Senate Bill No. 1107

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 296—An act to amend Section 1277 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Senate Bill No. 1107—An act to add Sections 100.6, 822.5, and 1670 of, and add Section 1626 to, the Streets and Highways Code, relating to highways and trails on or crossing county or state boundary lines.

Referred to Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT GOVERNOR BE REQUESTED TO RETURN ASSEMBLY BILL NO. 550

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Governor to return Assembly Bill No. 550, to the Assembly, for further consideration.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3101—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 55—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after "make", insert "repairs,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532.5 to, the Elections Code, relating to purity of elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on May 3, 1951, after "report", insert "under oath".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2914—An act to amend Sections 27281 and 27300a of the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, after "27281", insert ", 27281a,".

Amendment No. 2

In line 3 of the title of said bill, after "of", insert ", and to repeal Sections 27302 and 27303 of,".

Amendment No. 3

On page 2, line 15, of said bill, after "property", insert "or revenues".

Amendment No. 4

On page 2 of said bill, after line 18, insert

"SEC. 3. Section 27302 of the Streets and Highways Code is repealed

SEC. 4. Section 27303 of the Streets and Highways Code is repealed.

SEC. 5. Section 27281a of the Streets and Highways Code is amended to read:

27281a. After the bonded indebtedness of the district has been retired, the general manager shall furnish the board with an estimate of the tolls necessary to pay the obligations of the district. The board shall, upon the recommendation of the general manager, or such modifications thereof as it may adopt, fix such tolls as will:

(a) Pay the operating expenses of the district.

(b) Provide for repairs and depreciation of works, owned or operated by it.

(c) Pay any indebtedness or lien that may exist against the district or any of its property *or revenues*."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "; provided, however," and insert "if the structure is occupied and used by the owner upon completion and is not offered for sale prior to completion.".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2802—An act to provide for funds for the construction of a tube under the estuary between Oakland and Alameda in the refinancing of the San Francisco-Oakland Bay Bridge.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, after "Bridge", insert ", or from tolls thereon".

Amendment No. 2

On page 1 of the printed bill, strike out all of line 1; and in line 2, strike out "San Francisco-Oakland Bay Bridge," and insert

"SECTION 1. The California Toll Bridge Authority is authorized and directed to investigate the feasibility of refinancing the San Francisco-Oakland Bay Bridge, and, if in its judgment, refinancing of said bridge is feasible and practical, to make arrangements therefor. In any such arrangements,".

Amendment No. 3

On page 1 of said bill, after line 5, insert

"SEC. 2. Upon the retirement of all indebtedness evidenced by outstanding revenue bonds secured by revenues of the San Francisco-Oakland Bay Bridge and the repayment of all the sums required by law to be repaid to the State of California, including such repayments as may be provided by any act of the 1951 Regular Session of the Legislature, tolls shall continue to be collected on said bridge for the purpose of providing use and occupancy insurance thereon and for the acquisition of rights of way for and the construction of, including all necessary engineering expenses, a tube under the estuary between the Cities of Oakland and Alameda, in the County of Alameda, with necessary connections to the approaches to the San Francisco-Oakland Bay Bridge. Said tube and connections are hereby declared to be necessary as approaches to said bridge. If no other proceedings, as hereinafter provided, are taken, such revenues shall be used by the Department of Public Works for the construction of such tube and necessary connections as soon as sufficient revenues have been collected therefor. Such revenues as collected shall be paid into the State Highway Fund and credited to a separate account therein for said purpose and shall not be subject to any other provision relative to allocations from the State Highway Fund

SEC 3. The California Toll Bridge Authority is authorized, if it finds such proceedings feasible, to issue new revenue bonds secured by said tolls for the purpose of expediting the construction of said tube with necessary connections to said approaches, and if bonds are so issued all of the provisions of the California Toll Bridge Authority Act concerning the issuance, sale, and payment of principal and interest on said bonds, and the rights of holders of said bonds, shall apply.

SEC 4 If by negotiation with the holders of outstanding bonds on the San Francisco-Oakland Bay Bridge arrangements can be made whereby portions of existing revenues can be devoted to the construction of said tube with necessary connections to said approaches prior to the retirement of all outstanding bonds, the California Toll Bridge Authority is authorized to enter into such arrangements if it determines that the best interests of the State will be served and the construction of said tube and necessary connections to said approaches accelerated.

SEC 5. The Department of Public Works is directed to proceed with the construction of said tube and necessary connections to said approaches as soon as anticipated revenues for such purpose will permit contracts to be let and progress payments to be made from such revenues."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 15—An act to amend Section 28140 of the Government Code, relating to compensation for public service in counties of the fortieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 28140 of the Government", and insert "Sections 441, 445, and 451 of the Education".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "in counties of the fortieth class".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 441 of the Education Code is amended to read:

441. The annual salary of the county superintendent of schools of a county of the forty-first class is [four thousand five hundred dollars ($4,500)] _____ dollars ($_____), and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

SEC. 2 Section 445 of the Education Code is amended to read:

445. The annual salary of the county superintendent of schools of a county of the forty-fifth class is [four thousand two hundred dollars ($4,200)] _____ dollars ($_____), and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education.

SEC. 3 Section 451 of the Education Code is amended to read:

451. The annual salary of the county superintendent of schools of a county of the fifty-first class is [four thousand two hundred dollars ($4,200)] _____ dollars ($_____), and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 593—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28136", and insert "28134".

Amendment No. 2

In line 3 of the title of said bill, strike out "thirty-sixth", and insert "thirty-fourth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28136", and insert "28134".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"28134. In a county of the thirty-fourth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [three thousand five hundred dollars ($3,500)] *five thousand dollars ($5,000)* a year.

(b) The district attorney, [five thousand dollars ($5,000)] *seven thousand five hundred dollars ($7,500)* a year.

(c) Each supervisor, for all services required of him as supervisor [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year. He shall also receive the following mileage and traveling expenses: When using a privately owned automobile, six cents ($0.06) for each mile actually traveled each way: (1) in going to and from his residence to the courthouse in attending each day's session of the regular and special meetings of the board of supervisors and in attending each day's session of the meetings of the board of supervisors when the board convenes as a board of equalization, and (2) in the county in the performance of his duties as supervisor and as a member of the county board of equalization When traveling in a privately owned automobile each member of the board of supervisors shall also be allowed mileage at the rate of six cents ($0 06) a mile or railroad or bus fare, together with other traveling expenses incurred in traveling to and from places outside of the county when he is on county business authorized by the board of supervisors.

(d) For attending as a juror in the superior court, the justices' courts, and in city courts in cities of the sixth class, each juror shall be paid three dollars ($3) for each day's attendance upon the court and six cents ($0 06) a mile for each mile actually traveled each way in attending each day's session of the court.

For serving as a grand juror, each grand juror shall be paid three dollars ($3) for each day's attendance upon the duly called sessions of the grand jury and the meetings of committees appointed by the foreman of the grand jury and for each day's service when authorized in writing by the foreman to make individual investigations. When using a privately owned automobile, each grand juror shall also be allowed six cents ($0 06) a mile for each mile actually traveled by him each way in attending each day's sessions of the grand jury and meetings of committees appointed by the foreman of the grand jury and when making individual investigations upon being authorized in writing to make such investigations by the foreman

The fees and traveling expenses shall be paid out of the general fund of the county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in the case of grand jurors and jurors attending the superior court, and upon written order of the judge of the court in which the juror was in attendance in the case of jurors attending the justices' courts

The fees and mileage shall be paid to jurors attending city courts of cities of the sixth class by the treasurer of the city in which the jurors' services were rendered out of the general fund of the city upon warrants drawn by the city auditor upon the written order of the judge of the court in which the jurors were in attendance

The compensation provided by this section shall be payable to incumbent officers.

SEC 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officer designated in this act as soon as it is legally competent to do so"

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 26, inclusive; and on page 2, strike out lines 1 to 35, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 765—An act to amend Sections 28123, 28132, and 28151 of the Government Code, relating to compensation for public services in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 28123, 28132, and 28151", and insert "Section 28130".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 32, inclusive, and insert

"SECTION 1. Section 28130 of the Government Code is amended to read:

28130. In a county of the thirtieth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand two hundred dollars ($4,200)] *six thousand six hundred dollars ($6,600)* a year.

(b) The district attorney, three thousand six hundred dollars ($3,600) a year.

(c) Each supervisor, one thousand eight hundred dollars ($1,800) a year which shall be in full for all services rendered as supervisor.

(d) Grand jurors and trial jurors in the superior court, three dollars ($3) for each day's attendance, and mileage at the rate of fifteen cents ($0.15) for each mile necessarily traveled in attending court or in attending sessions of the grand jury, in going only. In criminal actions the fees and mileage of trial jurors shall be paid by the treasurer out of the general funds of the county upon warrants drawn by the auditor, who shall draw the warrants upon the written order of the judge of the superior court in which the jurors were in attendance

The compensation provided by this section shall be payable to incumbent officers.

SEC 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operation, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 21 of the printed bill, strike out lines 30 to 39, inclusive, and insert

"9306 In addition to the authority granted in Section 9290 to request the inclusion of a tract in the district, 25 percent of the landowners of any tract of land, who own 50 percent or more of the total acreage of the tract, may petition the board

of supervisors of the principal county requesting the inclusion of the tract in the district. The petition shall describe the boundaries of the tract proposed to be included."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2281—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28130", and insert "28135".

Amendment No. 2

In line 3 of the title of said bill, strike out "thirtieth", and insert "thirty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28130", and insert "28135".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"28135. In a county of the thirty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [three thousand six hundred dollars ($3,600)] *four thousand eight hundred dollars ($4,800)* a year, which shall include compensation for the compilation of the annual financial report and classified annual pay roll of the county.

(b) The district attorney, [three thousand six hundred dollars ($3,600)] *five thousand four hundred dollars ($5,400)* a year.

(c) Each supervisor, [two thousand four hundred dollars ($2,400)] *three thousand six hundred dollars ($3,600)* a year and ten cents ($0.10) [a mile, one way between his residence and the county seat,] *for each mile necessarily traveled in the performance of his official duties* [attending upon all regular, special, or adjourned meetings of the board of supervisors]. The chairman of the board of supervisors may receive twenty-five cents ($0.25) a mile, one way, between his residence and the county seat, when attending at the county seat for the single purpose of counting the money in the county treasury as required by law

(d) Grand jurors in grand jury duty shall receive six dollars ($6), and trial jurors in the superior court shall receive five dollars ($5) for each day's attendance, and grand jurors and trial jurors shall receive ten cents ($0.10) for each mile necessarily traveled in attendance. In justices' courts the jurors shall receive five dollars ($5) for each day's attendance and ten cents ($0.10) for each mile necessarily traveled in attendance.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3418—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, after line 17, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2922—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 27, 1951, strike out "418", and insert "28121 of the Government Code and Section 421".

Amendment No. 2

In line 2 of the title of said bill, strike out "of the county superintendent of schools", and insert "for public service".

Amendment No. 3

In line 3 of the title of said bill, strike out "eighteenth", and insert "twenty-first".

Amendment No. 4

On page 1, line 1, of said bill, strike out "418", and insert "421".

Amendment No. 5

On page 1, line 3, of said bill, strike out "418", and insert "421".

Amendment No. 6

On page 1, line 4, of said bill, strike out "eighteenth", and insert "twenty-first".

Amendment No. 7

On page 1, line 5, of said bill, strike out "five hundred dollars ($7,500)", and insert "two hundred dollars ($7,200)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 1 of said bill, after line 7, insert

"SEC 2. Section 28121 of the Government Code is amended to read:

28121. In a county of the twenty-first class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

(a) The auditor, [six thousand nine hundred dollars ($6,900)] *seven thousand five hundred dollars ($7,500)* a year. He shall devote his full working time to the duties of his office.

(b) The district attorney, [eight thousand four hundred dollars ($8,400)] *nine thousand six hundred dollars ($9,600)* a year for all services. He shall devote his entire time during office hours to the duties of his office and shall not engage in private law practice during his term of office.

(c) Each supervisor, for all services required of him as supervisor and ex officio road commissioner, four thousand two hundred dollars ($4,200) a year. If necessary official business requires any supervisor to travel beyond the boundaries of the county, he shall receive actual necessary traveling expenses incurred therefor. No other mileage or remuneration and no other traveling expenses shall be allowed.

(d) Grand jurors and trial jurors in the superior court, three dollars ($3), and trial jurors in courts of justices of the peace, two dollars ($2), for each day's attendance. In addition, mileage fees shall be allowed all jurors at the rate of fifteen cents ($0.15) for each mile traveled in attending court or in attending sessions of the grand jury, in going only.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 3. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 11, 1951, strike out lines 14 to 16, inclusive, and insert

"No estimate of enrollment made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education; provided, however, that the board may by rule prescribe that (1) any applicant school district shall be entitled to make an estimate of enrollment for a period ending October 31, 1952, and (2) any school".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2880—An act to add Section 55.8 to the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 55.8 to", and insert "amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38.2, 39, 55.7, 59, and 59.5 of, and to add Sections 53.4 and 55.8 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 7 of the Alcoholic Beverage Control Act is amended to read:

Sec. 7. Each license issued under this act shall be issued to a specific person, and, except in the case of licenses authorizing the sale of alcoholic beverages on trains

or boats, shall be issued for a specific location, the principal address of which shall be indicated on the license. Separate licenses shall be issued for each of the premises of any business establishment having more than one location except as provided for in Section 6, subdivisions (o) and (p), and except that the holder of a public warehouse license maintaining or operating more than one public warehouse in this State shall be required to obtain but one license for all of his public warehouse establishments. A copy of the original public warehouse license issued to a public warehouseman maintaining or operating more than one public warehouse in this State shall be posted in each of his public warehouse establishments. A charge of one dollar ($1) shall be made by the board for each copy of a public warehouse license issued to such public warehouseman.

Wine stored in a winery, wine storeroom, or field warehouse bonded under the internal revenue laws of the United States, and brandy in bulk stored in an internal revenue bonded warehouse may be stored by or for any licensee under this act without the necessity of any license by the party furnishing or providing the storage space, beer and wine upon which excise taxes have been paid to the State at the rate fixed under this act, may be stored by or for any licensee under this act in any private or public warehouse or elsewhere in this State without the necessity of any license by the party furnishing or providing the storage space, or any special additional license being required by such licensee; provided, however, that any other alcoholic beverage may without the necessity of any additional license be stored by or for a licensee in private warehouses approved by the board if within the limits of the county in which such licensees licensed premises are located, or in a public warehouse within such county, or may be stored in bond in a public warehouse outside such county where such warehouse is also a United States Customs bonded warehouse, or a United States Internal Revenue bonded warehouse or United States bonded storeroom.

Any licensee under an on-sale general license or an on-sale distilled spirits license for seasonal business who maintains upon or within the premises for which such license is issued more than one room in which there is regularly maintained a fixed counter or service bar at which distilled spirits are served for consumption within the licensed premises shall obtain from the board, and the board shall upon request issue a duplicate of his original license for each room, in excess of one, containing such fixed counter or service bar and shall post a duplicate of his original license in each such room. He shall pay to the board at the time of application for each such duplicate license an amount equal to the license fee payable for a like period for the distilled spirits privileges of the original on-sale general license or on-sale distilled spirits license for seasonal business. Failure to obtain such duplicate license or licenses and to pay such fees and renewal fees therefor shall subject such licensee to the penalties imposed by this act for failure to obtain an original license or to pay the renewal fees therefor.

Licenses for trains and boats shall be based on the average number in actual operation, during the license year, of each class of operating units, viz., trains and boats upon which the license privileges are exercised, such average number to be determined as the board may prescribe.

Each license issued under this act is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person upon the approval of the board as provided in this act and upon the payment of a transfer fee equal to the fee payable upon an original application as provided under Section 5 of this act; provided, that the license or licenses of one spouse may be transferred to the other spouse when the application for transfer is made prior to the entry of a final decree of divorce, and the license or licenses of a decedent, minor ward, incompetent person, bankrupt person, *person for whose estate a receiver is appointed*, or assignor for the benefit of creditors may be transferred by or to the surviving partner or partners of a deceased licensee, the executor, administrator, or guardian of an estate of a licensee, the surviving spouse of a deceased licensee in the event that the deceased licensee leaves no estate to be administered, the trustee of a bankrupt estate of a licensee, a receiver of the estate of a licensee, or an assignee for the benefit of creditors of a licensee with the consent of the assignor, or a transfer between partners where no new partner is being licensed, and the fee for transfer for each license in such case shall be twenty-five dollars ($25).

Each license issued under this act shall be transferable from the premises for which issued upon the approval of the board and upon the payment of a transfer fee of twenty-five dollars ($25) and upon compliance with the provisions of this act relating to the issuance of an original license.

In no case shall a fee be charged for the transfer of an importer's license. If the annual fee for a license is less than twenty-five dollars ($25), the fee to be charged for the transfer thereof in any case shall be in the amount of the fee payable upon an original application as provided under Section 5 of this act

Whenever a license certificate issued under the act is in effect and is lost or destroyed, the board shall issue a duplicate license upon the payment of a fee of five dollars ($5).

SEC. 2. Section 19 of said act is amended to read:

SEC. 19. A wine grower's license shall only be issued to, or held by, a person qualified to operate or operating a winery, wine storeroom or field warehouse bonded under the Internal Revenue Laws of the United States. Every person operating, *or authorized under the Internal Revenue Laws of the United States to operate*, a winery or wine storeroom bonded under the Internal Revenue Laws of the United States shall apply for, and hold, a wine grower's license.

SEC. 3. Section 23b of said act is amended to read:

SEC. 23b It shall be presumed, for the purposes of this act, that all beer [manufactured in this state by a manufacturer, or delivered to a manufacturer here,] *removed from the internal revenue bonded premises of a beer manufacturer* has been sold in this State by such manufacturer unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such [alcoholic beverage (1) is still in the possession of such licensee or (2) has been sold and delivered to another manufacturer of such alcoholic beverage or (3) has been exported without this State or sold for export by the licensee making the report, or (4) prior to the termination of possession has been lost through unintentional destruction, or (5) was spoiled beer which was destroyed in the presence of a representative of the board or of the United States Bureau of Internal Revenue, or (6) prior to the termination of possession has been unaccountably lost, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board; or (7) is beer] *beer (1) has been exported from this State or sold for export by the beer manufacturer making the report and actually exported from this State, or (2) has been sold and delivered in internal revenue bond to another licensed beer manufacturer in this State, or (3) is* otherwise exempted from taxation under this act.

[No excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any beer exported by a licensed manufacturer from within this State to any place without the State or sold by a licensed manufacturer for export from within this State to any place without the State and actually exported from this State or upon any beer specifically mentioned in any subdivision (1) to (7) of this section, and no excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any transaction whereby any beer is sold by the licensed manufacturer to another licensed manufacturer.

Any claim for exemption from excise tax under this section must be made to the board, in such manner as the board shall prescribe.]

In the event excise taxes under this act have been paid on beer subsequently exported from the State or sold for export and actually thereafter exported from this State *or subsequently destroyed under the supervision of a board representative*, a taxpayer may claim and shall be allowed credit with respect to such tax in any report filed or assessment made under this act.

SEC. 4. Section 24.2 of said act is amended to read:

SEC. 24.2. It shall be presumed that all distilled spirits acquired by any taxpayer have been sold in this State by him unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such distilled spirits are (1) still in the possession of such licensee, or (2) that such distilled spirits have been sold or delivered to another licensed distilled spirits manufacturer, rectifier, importer or wholesaler, or (3) that such distilled spirits have been exported without this State or sold for export by the licensee making the report and actually exported from this State within [30] *90* days from the date of such sale, or (4) that prior to the termination of possession such distilled spirits have been lost through unintentional destruction, or (5) that prior to the termination of possession there has been an unaccounted for loss, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board, or (6) that such distilled spirits are otherwise exempt from taxation under this act.

SEC. 5. Section 24.26 of said act is amended to read

SEC. 24.26. In addition to the other privileges exercised under a wholesaler's or rectifier's license, a wholesaler or rectifier may sell the alcoholic beverage mentioned in his license to persons who take delivery of such alcoholic beverages within this State for delivery or use without the State within [30] *90* days from the date of such sale in accordance with rules and regulations prescribed by the board

SEC. 6 Section 24.27 of said act is amended to read:

SEC. 24.27 Any person may, in accordance with rules and regulations to be prescribed by the board, purchase and take delivery of alcoholic beverages within this State for delivery or use without the State and may, without obtaining any license in this State export the same from this State within [30] *90* days from the date of such purchase

Licensees of other states may purchase bulk brandy produced in this State and stored in an internal revenue bonded warehouse in this State or warehouse receipts covering such brandy for storage in this State Such licensees of other states may subsequently, without obtaining any license therefor in this State, export such brandy in accordance with the rules and regulations prescribed by the board. The sale of brandy or warehouse receipts pursuant to this paragraph by a taxpayer to the pur-

chasing licensee of another state shall be exempt from the excise tax levied by Section 24 of this act.

SEC. 7. Section 27b of said act is amended to read:

Sec. 27b. [If the excise tax is not paid to the board within the time prescribed for the payment of the tax, a penalty of 5 percent of the amount of the excise tax shall be added thereto on account of such delinquency

Except as provided in Section 27c, a penalty of five dollars ($5) shall be imposed on any taxpayer who shall fail to file a tax return within the time prescribed for the filing of the return; provided, however, that the penalty imposed for the failure to file a tax return on or before the time prescribed for the filing of the return, shall not be in addition to the 5 percent penalty provided under this section for the late payment of tax if such 5 percent penalty exceeds five dollars ($5).]

Except as provided in Section 27c, if any taxpayer shall fail to file a tax return within the time prescribed for the filing of the return or shall fail to pay the excise tax to the board within the time prescribed for the payment of the tax, a penalty of five dollars ($5) or 5 percent of the amount of the excise tax, whichever is greater, shall be imposed on such taxpayer.

SEC. 8. Section 27c of said act is amended to read:

Sec. 27c. The board for good cause may extend for not to exceed [15] *30* days the time for making any report or paying any tax required under the provisions of [Section] *Sections 23 and* 24 hereof.

Any person to whom such extension is granted and who pays the excise tax within the period for which the extension is granted shall pay, in addition to the excise tax, interest at the rate of 6 percent per annum from the date the excise tax would have been due without such extension to the date of payment.

SEC. 9. Section 38.2 of said act is amended to read:

Sec. 38.2. The board shall adopt such rules and regulations as may be necessary to coordinate the system of *beer and* wine taxation imposed by this act with the system of *beer and* wine taxation imposed by the Internal Revenue Laws of the United States.

SEC. 10. Section 39 of said act is amended to read:

Sec. 39. A written report of a member of the board or of an employee of the board engaged in the enforcement of this act disclosing that an applicant for a license or the premises for which a license is applied are not qualified for a license under this act shall constitute grounds for the denial of an application for a license.

Immediately upon the denial of any application for a license the board shall notify the applicant thereof in writing. Within 10 days after mailing the notice the applicant may present his written petition for a license to the board.

Upon receipt by the board of a petition for a license in proper form it shall be referred to a representative of the board for hearing.

Protests may be made to the board at any time prior to the issuance of a license against [either] the original issuance of a license [or the renewal of a license].

A protest made by any person other than an employee of the board or a public officer shall be verified. Verification may be on information and belief.

If a license has been issued to the applicant before receipt of the protest by the board, the protest shall be considered as a complaint against the licensee and a hearing had thereon as if a complaint had been filed.

The proceedings under this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

SEC. 11. Section 53.4 is added to said act, to read:

Sec. 53.4. No beer manufacturer or beer and wine wholesaler shall sell to any retail licensee any beer bottled under a private label exclusively for a particular retail licensee or for a particular group or association of retail licensees.

SEC. 12. Section 55.7 of said act is amended to read:

Sec. 55.7. No licensee, *or agent or employee or such licensee*, shall, directly or indirectly, give any premium gift, or free goods in connection with the sale of any alcoholic beverage. Any person violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 13. Section 59 of said act is amended to read:

Sec. 59. Every on- or off-sale licensee, *or agent or employee of such licensee*, who sells, gives away or furnishes any alcoholic beverage in any election district or precinct in any county in the State where an election is in progress, during the hours when by law the polls are required to be kept open for voting shall be guilty of a misdemeanor.

SEC. 14. Section 59.5 of said act is amended to read:

Sec. 59.5. Any on- or off-sale licensee, *or agent or employee of such licensee*, who sells, gives, or delivers to any person any alcoholic beverage between the hours of 2 o'clock a.m. and 6 o'clock a.m. of the same day, is guilty of a misdemeanor.

SEC. 15. Section 55.8 is added to said act, to read:".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3175—An act to amend Section 3227 of the Public Resources Code, relating to the statement filed by persons producing oil or gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 10, 1951, after "log", insert "if any be made".

Amendment No. 2

On page 2, line 8, of said bill, strike out "for the previous month,".

Amendment No. 3

On page 2 of said bill, after line 19, insert

"SEC. 4. The provisions of this act shall not become operative until January 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1951, after "the", insert "acquisition,".

Amendment No. 2

On page 4 of said bill, between lines 4 and 5, insert

"(q) To do any and every lawful act necessary to be done that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the district, including but not limited to, the acquisition, storage, and distribution for irrigation, domestic, fire protection, muncipal, commercial, industrial, and all other beneficial uses."

Amendment No. 3

On page 4, line 5, of said bill, strike out "(q)", and insert "(r)".

Amendment No. 4

On page 4 of said bill, strike out lines 13 to 18, inclusive, and insert "from floods within the district."

Amendment No. 5

On page 4, line 19, of said bill, strike out "(r)", and insert "(s)".

Amendment No. 6

On page 4, line 31, of said bill, strike out "(s)", and insert "(t)".

Amendment No. 7

On page 5 of said bill, strike out lines 25 to 31, inclusive, and insert

"SEC. 4. On or before January 1, 1956, the Board of Supervisors of Yolo County shall appoint a district board of directors of five members which shall exercise

the powers of the district enumerated in this act, except as otherwise provided, and may perform all other acts necessary or proper, in their discretion, to accomplish the purposes of this act.

Of the members first appointed, one shall be appointed to serve for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. Thereafter all members shall be appointed for a term of four years. Any member of the board of directors may be removed from office at any time, with or without cause, by the board of supervisors, a majority of the entire membership concurring. All vacancies in the membership of the board of directors shall be immediately filled by appointment by the board of supervisors for the unexpired portion of the term in which they occur.

The board of directors may adopt and enforce reasonable rules and".

Amendment No. 8

On page 5 of said bill, strike out lines 37 to 40, inclusive, and insert "board of directors shall serve without compensation, but shall be allowed his actual, necessary, and reasonable expenses incurred in carrying out his duties under this act. The directors shall elect a chair-".

Amendment No. 9

On page 5 of said bill, between lines 49 and 50, insert

"Until the first board of directors are appointed pursuant to this section, the Board of Supervisors of Yolo County shall act, ex officio, as board of directors of the district and shall have and exercise all the powers and duties herein, prescribed for that board. Each member of the board of supervisors shall serve without additional compensation for acting as member of the board of the district, but shall be allowed his actual, necessary, and reasonable traveling expense incurred in carrying out his duties in such capacity."

Amendment No. 10

On page 18, line 29, of said bill, after "Sec. 32.", insert "Any territory within the district and not substantially benefited by being within the district may be excluded by order of the board upon the verified petition of the owner or owners in fee of lands whose assessed valuation is in excess of one-half of the assessed valuation of all lands held in private ownership in such territory as shown by the last equalized assessment roll

The petition shall describe the territory sought to be excluded and shall set forth that such territory is not substantially benefited by being in the district and shall pray that such territory be excluded and taken from said district It shall be filed with the board and accompanied by a deposit with the board of the sum of five hundred dollars ($500), to meet expenses of advertising and costs incident to the proceedings, any unconsumed balance to be returned to the petitioner or petitioners

Upon the filing of the petition, the board shall transmit a copy thereof to the Department of Public Works, Division of Water Resources, which acting by and through the State Engineer shall make an investigation and determine whether the lands proposed to be excluded, or some portion thereof, is not substantially benefited by inclusion in the district Upon completing such investigation, the department shall file its report with the secretary, which shall describe specifically the lands, if any, which will not be so benefited. The cost and expense of such investigation and report shall be a charge against the district and against the deposit made by the petitioners.

Upon the filing of the report, the board shall fix a time when the petition and report will be presented to the board, which shall be not less than 25 days nor more than 50 days after the filing of the report, and shall cause a notice of the filing thereof to be published once a week for at least two weeks in one newspaper of general circulation printed and published in each county within which any portion of the district lies. Such notice shall also state the date of the filing of the petition and the date of the filing of the report and the time when he will present them to the board and that they will come on for hearing before the board at such time and shall state the place where the board will meet for the purpose of holding such hearing Any landowner or taxpayer or other person interested within the district shall have the right to appear at said hearing either in behalf of or in opposition to the granting of said petition If upon such hearing the board determines that the petition complies with the provisions of this section and determines either that it is for the best interests of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district or if it determines that such lands, or some portion thereof, will not be substantially benefited by their continued inclusion in the district (and lands which the report of the Department of Public Works states will not be so benefited shall be included as such lands by the board in making its determination), the board shall make an order that such lands, or such portion thereof, be excluded from the district, such order to describe specifically the land so excluded. From the time of making such order, the lands so excluded shall be deemed no longer included in the district, but such order of exclusion shall not invalidate in any manner any taxes or assessments theretofore levied

or assessed against the lands so excluded, nor shall it in any way limit the authority of the board to levy taxes for the payment of principal and interest under the terms of any contract approved by the voters or of bonds theretofore voted or issued by the district. The chairman of the board shall certify that such order has been adopted to the Secretary of State and to the county recorder of Yolo County. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the adoption of such order and the exclusion of the area from the district. A copy of such certificate shall be transmitted to and filed with the County Clerk of Yolo County.

SEC. 33."

Amendment No. 11

On page 18, line 36, of said bill, strike out "33", and insert "34"

Amendment No. 12

On page 18, line 40, of said bill, strike out "34", and insert "35".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3417—An act to add Section 7155.5 to, and to amend the heading of, Article 2 of Chapter 1, Part 3, Division 5 of the Labor Code, relating to safety in employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "Ladders", and insert "Extension ladders used for exterior work".

Amendment No. 2

On page 1 of said bill, after line 18, insert

"(2) By using a wedge of wood or equally rigid material of adequate strength soled top and bottom with ribbed rubber matting or similar material."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations

Assembly Bill No. 2069—An act to add Division 8 comprising Sections 9000 to 9018, inclusive, to the Welfare and Institutions Code, relating to regulation of solicitation for charitable contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9018", and insert "9027".

Amendment No. 2

On page 1, line 1, of said bill, strike out "9018", and insert "9027".

Amendment No. 3

On page 1, line 7, of said bill, strike out "REGULATIONS", and insert "ADMINISTRATION".

Amendment No. 4

On page 1 of said bill, between lines 8 and 9, insert

"9000. This division shall apply only in those counties having a population in excess of 200,000 as determined by Section 28020 of the Government Code. The Legislature hereby finds and declares that the evils of unregulated solicitation of charitable contributions, with the resultant imposition on the public, are most prevalent in large

centers of population where it is difficult for the people to learn the true facts with reference to an alleged charity, and for that reason this division is confined in its operation to the counties described."

Amendment No. 5

On page 1, line 9, of said bill, strike out "9000", and insert "9001".

Amendment No. 6

On page 1, line 12, of said bill, strike out "Franchise Tax Board", and insert "Department of Social Welfare".

Amendment No. 7

On page 1, line 14, of said bill, after "patriotic," insert "welfare, educational, civic, or fraternal,".

Amendment No. 8

On page 1, line 16, of said bill, after "money," insert "subscription,".

Amendment No. 9

On page 2 of said bill, after line 8, insert "and who receives no commission or other emolument in addition to his salary".

Amendment No. 10

On page 2, line 10, of said bill, strike out "article", and insert "division".

Amendment No. 11

On page 2, line 35, of said bill, strike out "chapter", and insert "division".

Amendment No. 12

On page 2 of said bill, between lines 35 and 36, insert

"CHAPTER 2. SOLICITATION"

Amendment No. 13

On page 2, line 36, of said bill, strike out "9001", and insert "9002".

Amendment No. 14

On page 2, line 37, of said bill, between "publish" and "results", insert "the".

Amendment No. 15

On page 2, line 38, of said bill, strike out "9002", and insert "9003".

Amendment No. 16

On page 2 of said bill, strike out line 44, and insert "tions 9003, 9005, 9006, 9010, 9011, 9012, 9014, and 9002".

Amendment No. 17

On page 2, line 47, of said bill, strike out "request", and insert "require the".

Amendment No. 18

On page 2, line 48, of said bill, between "of", and "solicitation", insert "the".

Amendment No. 19

On page 3, line 1, of said bill, strike out "shall", and insert "may".

Amendment No. 20

On page 3, line 4, of said bill, strike out "that".

Amendment No. 21

On page 3, line 9, of said bill, strike out the semi-colon, and insert ". Such notice may be given by registered mail or by personal service."

Amendment No. 22

On page 3, line 10, of said bill, strike out "article", and insert "division".

Amendment No. 23

On page 3, line 11, of said bill, between "of" and "person", insert "the".

Amendment No. 24

On page 3, line 20, of said bill, strike out "9002", and insert "9003".

Amendment No. 25

On page 3, line 21, of said bill, between "of" and "notice", insert "the".

Amendment No. 26

On page 3, line 22, of said bill, between "or" and "any", insert "of".

Amendment No. 27

On page 3 of said bill, strike out lines 32 and 33.

Amendment No. 28

On page 3, line 34, of said bill, strike out "(3)", and insert "(2)".

Amendment No. 29

On page 3, line 35, of said bill, strike out "9004", and insert "9005".

Amendment No. 30

On page 3, line 36, of said bill, strike out "(4)", and insert "(3)".

Amendment No. 31

On page 3 of said bill, between lines 44 and 45, insert

"(f) Any information cards shall be issued or refused not later than 15 days after the receipt of notice of intention."

Amendment No. 32

On page 3, line 45, of said bill, strike out "9003", and insert "9004".

Amendment No. 33

On page 3, line 48, of said bill, strike out "9004", and insert "9005".

Amendment No. 34

On page 3, line 50, of said bill, strike out "fiscal", and insert "calendar".

Amendment No. 35

On page 3, line 51, of said bill, strike out "of the city".

Amendment No. 36

On page 3, line 52, of said bill, strike out "ten (10)", and insert "twenty (20)".

Amendment No. 37

On page 4, line 39, of said bill, strike out the period, and insert ";

(j) A statement of the geographical area in which the solicitation is to be made; and

(k) A statement showing whether such solicitation is subject to any city, county, or city and county ordinance regulating solicitation."

Amendment No. 38

On page 4, line 40, of said bill, strike out "9005", and insert "9006".

Amendment No. 39

On page 4, line 49, of said bill, strike out "filed with it".

Amendment No. 40

On page 5, line 11, of said bill, strike out "9006", and insert "9007".

Amendment No. 41

On page 5, line 17, of said bill, strike out "9007", and insert "9008".

Amendment No. 42

On page 5, line 22, of said bill, strike out "9008", and insert "9009".

Amendment No. 43

On page 5, line 35, of said bill, strike out "9004", and insert "9005".

Amendment No. 44

On page 5, line 37, of said bill, strike out "9009", and insert "9010".

Amendment No. 45

On page 5, line 45, of said bill, strike out "9010", and insert "9011".

Amendment No. 46

On page 5 of said bill, strike out lines 47 to 52, inclusive, and insert

"(a) A valid information card regularly issued to him by the department; and

(b) Such information card with him when making solicitations. He shall read the information card to the person solicited or present it to said person upon demand for his perusal, allowing him sufficient opportunity to read the card, before accepting any contributions."

Amendment No. 47

On page 6 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 48

On page 6, line 13, of said bill, strike out ". Pro-", and insert "; pro-".

Amendment No. 49

On page 6, lines 17 and 18, of said bill, strike out "or a true written copy thereof".

Amendment No. 50

On page 6, line 31, of said bill, strike out ". Provided", and insert "; provided".

Amendment No. 51

On page 6, line 45, of said bill, strike out "if any,".

Amendment No. 52

On page 7, line 12, of said bill, strike out ". Provided", and insert "; provided".

Amendment No. 53

On page 7, line 15, of said bill, strike out "9000", and insert "9001".

Amendment No. 54

On page 7 of said bill, strike out line 16, and insert "and 9004, shall not be applicable (1) to any solicitation made upon".

Amendment No. 55

On page 7, line 18, of said bill, after the comma, insert "(2)".

Amendment No. 56

On page 7, line 22, of said bill, after the comma, insert "(3)".

Amendment No. 57

On page 7, line 24, of said bill, after the comma, insert "(4)".

Amendment No. 58

On page 7, line 26, of said bill, strike out ". Provided," and insert "by, or on behalf of an established church; provided,".

Amendment No. 59

On page 7 of said bill, between lines 44 and 45, insert

"CHAPTER 3. PROMOTERS."

Amendment No. 60

On page 7, line 45, of said bill, strike out "(1) Promoters."

Amendment No. 61

On page 7, line 50, of said bill, strike out "(2) Application.", and insert "9018."

Amendment No. 62

On page 8, line 18, of said bill, strike out "(3) Bond.", and insert "9019."

Amendment No. 63

On page 8, line 25, of said bill, strike out "the State of California", and insert "this State".

Amendment No. 64

On page 9, line 8, of said bill, strike out "4 Fee.", and insert "9020."

Amendment No. 65

On page 9, line 10, of said bill, strike out "(5) Investigation.", and insert "9021".

Amendment No. 66

On page 9 of said bill, strike out lines 13 to 42, inclusive, and insert "advisable. The department may grant any applicant a license if the department is satisfied:

(a) That the applicant is of good character and reputation, or if the applicant is a corporation, that every managing officer or agent of said corporation is of good character and reputation, of if the applicant is an unincorporated association, firm, or partnership, each member thereof is of good character and reputation, and

(b) That the applicant has sufficient financial responsibility to carry out the obligations incident to any solicitation such applicant may make within the State, and

(c) That all of the statements made in the application are true, and

(d) That neither the applicant nor any officer, agent or member of the applicant has violated any of the provisions of this chapter or has engaged in any fraudulent transaction or enterprise, and

(e) That the applicant intends to conduct its business fairly and honestly.

If the department denies an application and refuses to issue a license, it shall notify the applicant of the decision of the department. If the only ground for such refusal or denial is such that it does not substantially affect applicant's honesty and integrity and if the inability of the applicant to meet any requirement will in any way interfere with the proper performance by the applicant of his obligations as a promoter, the department may, in its discretion, waive such ground and grant the application."

Amendment No. 67

On page 9, line 43, of said bill, strike out "(6) Revocation", and insert "9022".

Amendment No. 68

On page 10, line 9, of said bill, strike out "(7) Termination", and insert "9023".

Amendment No. 69

On page 10, lines 10 and 11, of said bill, strike out "year terminating on the thirtieth day of June", and insert "calendar year".

Amendment No. 70

On page 10, line 12, of said bill, strike out "(8) Funds", and insert "9024".

Amendment No. 71

On page 10, line 16, of said bill, strike out "(9) Solicitors", and insert "9025".

Amendment No. 72

On page 10, lines 17 and 18, of said bill, strike out "or condition".

Amendment No. 73

On page 10, line 22, of said bill, strike out "subsections (1) to (8), inclusive, of this section", and insert "Sections 9017 to 9024, inclusive, of this code".

Amendment No. 74

On page 10, line 39, of said bill, strike out "subsection (3)", and insert "Section 9019 of this code."

Amendment No. 75

On page 10, line 40, of said bill, strike out "subsection", and insert "Section 9019 of this code".

Amendment No. 76

On page 10, line 48, of said bill, strike out "subsection", and insert "chapter".

Amendment No. 77

On page 10, line 49, of said bill, strike out "June 30th", and insert "December 31st"

Amendment No. 78

On page 11 of said bill, strike out lines 5 to 7, inclusive, and insert

"9026 All fees collected by the department pursuant to this division shall be deposited in the general fund in augmentation of the appropriation then current for the support of the department

9027. Upon a determination by the department that any city, county, or city and county has in effect an ordinance or ordinances containing provisions substantially similar to those of this division it may accept proof of compliance with said ordinance as satisfactory proof of compliance with this division and issue information cards, registration or licenses required by this division without further proof of compliance with the provisions of this division."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2366—An act creating an Anti-Totalitarian Civil Liberties Defense Commission, and prescribing its powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, line 26, of the printed bill, after "organized", insert ", exists".

Amendment No. 2

On page 3 of said bill, strike out lines 28 to 31, inclusive, and insert

"(c) "Totalitarian dictatorship" means and refers to systems of government not representative in fact, characterized by (A) the existence of a single political party with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party. The term "totalitarian dictatorship" also means and refers to any form of government which is organized, exists, or is maintained not through the will of a majority of the people expressed through free elections, which provide for freely functioning opposition parties to appear on the ballot, but rather by means of fraud, duress, terror, and forcible suppression of opposition to the political party in power."

Amendment No. 3

On page 3, line 33, of said bill, strike out "formerly", and insert "intentionally".

Amendment No. 4

On page 3, line 34, of said bill, after "who", insert "intentionally".

Amendment No. 5

On page 4, line 25, of said bill, after "act.", insert "The names of persons registered as required by this act may be made public by the commission."

Amendment No. 5

On page 4, line 45, of said bill, after the period, insert "At this hearing the person so charged shall be confronted by his accusers and have the right to cross-examine."

Amendment No. 6

On page 5 of said bill, after line 42, insert

"SEC. 18. The fact of the registration of any person under this act shall not be received in evidence against such person in any prosecution for any alleged violation of this act or for any alleged violation of any other criminal statute.

SEC. 19. The sum of two hundred thousand dollars ($200,000) is hereby appropriated out of the General Fund in the State Treasury for expenditure by the Anti-Totalitarian Civil Liberties Defense Commission without regard to fiscal years in carrying out the provisions of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 869—An act to add Article 2.5 to Chapter 10 of Division 3 of the Education Code, relating to the collections and apportionment of a county school district equalization fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 17, inclusive, and insert "valuation, which shall be in addition to the maximum rates of school district taxes authorized to be levied pursuant to Article 3 of Chapter 10, Division 3, for school purposes."

Amendment No. 2

On page 1, line 19, of said bill, strike out "as follows:", and insert "in accordance with a formula recommended by the county committee on school district organization and approved by the board of supervisors."

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 22, inclusive; and on page 3, strike out lines 1 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2372—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert "and making an appropriation therefor".

Amendment No. 2

On page 1 of said bill, strike out line 4, and insert

"Article 5. The State College Investigating Board

250. There is hereby created the State College Investigating Board, which shall consist of one member of the advisory board of each state college, one member of the Board of Governors of the California Maritime Academy, and the President of the California State Polytechnic College. The Governor shall designate the member from each such board who shall be a member of the State College Investigating Board.

251. The board shall remain in existence until June 30, 1953.

252 Any vacancy shall be filled by the Governor from the same board from which the member creating the vacancy was appointed.

253. The board shall meet not more than twice in any fiscal year.

254. At the first meeting of the board and at its first meeting following any change in membership, the board shall organize or reorganize, as the case may be, by electing one of its members president

255. The board shall appoint a secretary who shall act as executive officer of the board He shall have charge of all its correspondence and shall keep a record of its proceedings.

256. Notice of each meeting shall be given by the secretary by registered mail to each member of the board at least 10 days prior to the time of the meeting. Notice of the meeting may be waived in writing by all members of the board.

257. Members of the board shall receive their actual and necessary traveling expenses while on official business and a per diem of fourteen dollars ($14) a day while attending the regular meetings of the board.

258. The board shall study the need for the establishment of a State College Advisory Board to determine all questions of policy for and to administer the state colleges. It shall also study and make recommendations for the improvement of the organization and administration of the state colleges.

259. The board shall submit a report of its conclusions and recommendations to the Legislature on or before March 1, 1953

SEC. 2. The sum of twelve hundred dollars ($1,200) is hereby appropriated to the Department of Education to be expended during the 1951-1952 Fiscal Year for the payment of the actual and necessary traveling expenses and per diem of the members of the State College Investigating Board."

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 26, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 46—An act to add Section 1953.6 to the Government Code, relating to the liability of a county officer for the acts of any deputy or employee serving under him.

Bill read second time, and ordered to third reading.

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 211—An act to amend Section 126 of, and to add Section 127 to, the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof maintained by the State Lands Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1578—An act to add Section 707.5 to the Streets and Highways Code, relating to removals and relocations of utility facilities to accommodate state freeways.

Bill read second time, and ordered to third reading.

Senate Bill No. 1695—An act to add Section 6304.5 to the Public Resources Code, relating to cooperation by the State Lands Commission with the Federal Government in the development and maintenance of small boat harbors.

Bill read second time, and ordered to third reading.

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read second time, and ordered to third reading.

Senate Bill No. 314—An act to add Sections 5026.3 and 5049.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on April 30, 1951, after "approved", insert "by the board".

Amendment No. 2

On page 1, line 8, of said bill, strike out "it appears that".

Amendment No. 3

On page 1, line 11, of said bill, after "payment", insert "for such item, either with State funds or with district funds which the district is required to contribute by said apportionment,".

Amendment No. 4

On page 1, line 12, of said bill, strike out "ap-"; and strike out all of line 13, and insert "citing this section."

Amendment No. 5

On page 1, line 18, of said bill, after "district", insert "subsequent to December 5, 1949,".

Amendment No. 6

On page 1 of said bill, strike out lines 19 to 23, inclusive, and insert "items approved by the board in such apportionment; provided, however, that where expenditures were made for, or work was commenced with respect to, any item so approved, prior to the time the application of such district containing such item was received by the board, payment or reimbursement for such item, either with state funds or with district funds which the district is required to contribute by said apportionment, shall be made only upon authorization of the board by special resolution citing this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 53—An act to amend Section 1481 of the Government Code, relating to the use of a master official bond covering officers, employees or agents required to give official bond.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 16, 1951, strike out "Section 1481", and insert "Sections 1480, 1481 and 1653".

Amendment No. 2

In line 2 of the title of said bill, strike out "use of a master official bond", and insert "payment for and use of individual official, individual, master official and master bonds".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1480 of the Government Code is amended to read:

1480. Every officer, agent or employee not required by statute to give an official bond may be required to give an individual official bond *, or other form of individual bond*, in an amount to be fixed by the appointing power [.] *and such bond shall inure to the benefit of the appointing power, state, county or municipality, by whom such officer, employee, or agent is employed as well as the officer under whom the employee or agent serves.*

SEC. 2. Section 1481 of said code is".

Amendment No. 4

On page 1, line 15, of said bill strike out "board", and insert "bond, or other form of master bond,".

Amendment No. 5

On page 1 of said bill, after line 24, insert

"SEC. 3. Section 1653 of said code is amended to read:

1653. The payment of premiums for [the official] *all* bonds of deputies, clerks, assistants or subordinate officers of county officers shall not be a county charge unless the amount fixed for such bond has been approved by the board of supervisors."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 75—Relating to Henry H. Benedict.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 23, of the printed measure, strike out "engrossed", and insert "prepared".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 19, 1951, strike out "Section 28131", and insert "Section 453 of the Education Code and Sections 28136 and 28153".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28136 of the Government Code is amended to read:

28136. In a county of the thirty-sixth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand two hundred dollars ($4,200)] *five thousand four hundred dollars ($5,400)* a year

(b) The district attorney, [three thousand nine hundred dollars ($3,900)] *seven thousand two hundred dollars ($7,200)* a year.

(c) Each supervisor, [one thousand eight hundred dollars ($1,800)] *two thousand four hundred dollars ($2,400)* a year and mileage at the rate of twenty cents ($0.20) a mile for the distance usually traveled in going from his home to the county seat and returning.

(d) Grand jurors and trial jurors in the superior court shall receive five dollars ($5) for each day's attendance and twenty cents ($0.20) for each mile actually and necessarily traveled from their residences to the county seat, in going only. In justices' courts the jurors sworn to try the case shall receive two dollars ($2) for each day's attendance and fifteen cents ($0.15) for each mile actually and necessarily traveled from their residences. The per diem and mileage in the justices' courts shall be allowed only to the jurors sworn to try the case.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. Section 28153 of said code is amended to read:

28153. In a county of the fifty-third class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

(a) The auditor, two thousand five hundred twenty dollars ($2,520) a year and in addition two hundred dollars ($200) annually for preparing the county budget when prepared by him. If the office of recorder is consolidated with that of auditor, the auditor as such shall receive no compensation.

(b) The district attorney, [two] *three* thousand [seven hundred] dollars [($2,700)] *($3,000) a year and such fees as are paid to that officer.*

(c) Each supervisor, [one hundred dollars ($100) a month] *two thousand four hundred dollars ($2,400) a year,* and seven cents ($0.07) a mile for mileage and expenses in traveling from his residence to the county seat, but only one mileage shall be allowed for any regular or special session of the board. Actual expense outside the county shall be allowed and paid. Each supervisor is, in addition, allowed three hundred dollars ($300) a year to cover mileage expense at seven cents ($0.07) a mile as ex officio road overseer or commissioner.

(d) Grand jurors and trial jurors in the superior courts, three dollars and fifty cents ($3.50) for each day's attendance and seven cents ($0.07) for each mile

necessarily traveled each way in attending court. In criminal cases the fees and mileage of the trial jurors in the superior court shall be paid by the treasurer out of the general fund of the county upon warrants drawn by the auditor upon the written order of the judge of the court in which the jurors were in attendance, and the treasurer of the county shall pay the warrants. The fees of jurors in justices' courts shall be two dollars and fifty cents ($2.50) for each day's attendance and mileage at the rate of seven cents ($0.07) a mile each way traveled in attending court.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 3. Section 453 of the Education Code is amended to read:

453. The annual salary of the county superintendent of schools of a county of the fifty-third class is [four thousand eight hundred dollars ($4,800)] *five thousand one hundred dollars ($5,100)*, and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education.

SEC. 4. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on April 27, 1951, after "total", insert "amount of county bonded indebtedness plus the total".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Senate on May 7, 1951, strike out "only".

Amendment No. 2

On page 2, line 15, of said bill, after "water", insert ", and for the construction, maintenance, and operation thereon of public buildings and public parks and playgrounds".

MILLER	McCOLLISTER
McCARTHY	DOLWIG
BURNS	GRANT
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—58.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER The Committee on Conference concerning:

Senate Bill No. 1211 (As amended in Assembly April 12, 1951)—An act to amend Sections 14254 and 14256 of the Government Code, relating to state public works projects;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 1, line 26, of the printed bill, as amended in the Assembly on April 12, 1951, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 2

On page 1, line 28, of said bill, strike out "fifteen thousand dollars ($15,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 3

On page 1 of said bill, following line 28, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature."

HATFIELD	SILLIMAN
PARKMAN	PARKER
BURNS	BABBAGE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 3386—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 3386 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000) and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 39?

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on March 30, 1951, strike out "and making an appropriation therefor".

Amendment No. 2

On page 2, line 29, of said bill, as amended, after the comma, insert "when such funds are available from any unappropriated balance in the flood control fund of 1946,".

Amendment No. 3

On page 2 of the printed bill, as amended in the Senate on April 27, 1951, strike out lines 31 to 39, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 39 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59

NOES—Crowley—1

Assembly Bill No. 39 ordered enrolled.

Assembly Bill No. 489—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 489?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "law", and insert "by-law".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 489 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 489 ordered enrolled.

Assembly Bill No. 576—An act to repeal Sections 25663, 25663 and 26421, and to add Sections 25663 and 25663(c) to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 576?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1951, strike out ", 25663", and insert ", as added by Chapter 557 of the Statutes of 1949, and as added by Chapter 72 of the Statutes of 1951,".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "25663(c)", and insert "25663c".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "and 25663", and insert ", as added by Chapter 557 of the Statutes of 1949, and as added by Chapter 72 of the Statutes of 1951,".

Amendment No. 4

On page 1, line 15, of said bill, as amended, strike out "25663(c)", and insert "25663c".

Amendment No. 5

On page 1, line 17, of said bill, as amended, strike out "25663(c)", and insert "25663c".

Amendment No. 6

On page 2 of said bill, as amended, after line 5, insert
"SEC. 5. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 576 by the following vote:

AYES—Babbage, Beck, Berry, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.
NOES—None

Assembly Bill No. 576 ordered enrolled.

Assembly Bill No. 849—An act to amend Sections 4, 6, and 11 of, and to add Section 4.5 to, the Defense Production Act, relating to employment and working conditions of female employees.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59.

NOES—George D. Collins and Elliott—2.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 849?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 16, 1951, after "employees", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, as amended, after line 24, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

That it is necessary that the law in the Defense Production Act relating to the employment of women, and to the powers of the Governor in that regard in time of extreme emergency be immediately clarified. It is necessary to the general welfare that during periods of accelerated defense production the interests of women employees under the laws regulating their hours of employment not be unduly jeopardized."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 849 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59.

NOES—George D. Collins and Elliott—2.

Assembly Bill No. 849 ordered enrolled.

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132 6, 293 5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964 1, 7970.5, 7971.5, and 7972 5 to the Elections Code, relating to elections.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1069?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "25", and insert "19".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1069 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1069 ordered enrolled.

Assembly Bill No. 1082—An act to add Section 9003 to the Elections Code, relating to special elections.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1082?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 6, 1951, after line 6, insert
"SEC. 2. This act shall become effective on July 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1082 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1082 ordered enrolled.

Assembly Bill No. 1158—An act to add Section 269b to and to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1158?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on March 22, 1951, strike out the period, and insert "provided, however, that in cases in which a phonographic reporter is requested, and the fees provided for by Chapter 1031, Statutes of 1943, as amended, have not been paid, the parties litigant shall pay to the clerk of the court, prior to the hearing of said cases, the phonographic reporter's fees provided for in Section 274 of this code, which fees shall be deposited by said clerk in the county treasury to the credit of the salary fund of the county."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1158 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 1158 ordered enrolled.

Assembly Bill No. 1651—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1651?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 31676.9 of", and insert "Sections 31676.9 and 31681 of, and to add Section 31679.5 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 31679 of the Government Code is amended to read:

31679. If a member enters *or has entered* the retirement system with credit for prior service, and retires after attaining the compulsory retirement age and his retirement allowance is less than [nine hundred dollars ($900)] *one thousand two hundred dollars ($1,200)* a year, exclusive of any annuity based on additional contributions, an additional amount purchased by contributions of the county or district shall be added to his combined annuity and pensions which will cause his total retirement allowance to amount to [nine hundred dollars ($900) a year] *one thousand two hundred dollars ($1,200) a year.*

SEC 3. Section 31679 5 is added to the Government Code, to read:

31679 5. Each payment of a retirement allowance for time after the effective date of this section to a beneficiary who retired on or after September 20, 1947, after attaining the compulsory retirement age and with credit for prior service, and whose retirement allowance is less than one thousand two hundred dollars ($1,200) per year, shall be calculated according to the provisions of Section 31679 as they exist on the effective date of this section.

SEC. 4. Section 31681 of the Government Code is amended to read:

31681. Each payment of a retirement allowance, after the effective date of this section, to a beneficiary who retired prior to September 20, 1947, shall be calculated according to the provisions of this chapter as they existed on September 20, 1947.

In every county having a population in excess of 2,000,000, the minimum retirement allowance for every member who has heretofore or who shall be hereafter retired at compulsory retirement age and who is credited with 10 or more years service, including prior service, shall receive a total retirement allowance of not less than one thousand two hundred dollars ($1,200) per year."

Amendment No. 3

In line 1 of the title of the printed bill, as amended in the Senate on May 10, 1951, strike out "Sections 31676 9 and 31681 of, and to add Section 31679.5 to," and insert "Section 31676 9 of".

Amendment No. 4

On page 1 of said bill, as amended, strike out all of lines 10 to 21, inclusive

Amendment No. 5

On page 2 of said bill, as amended, strike out all of lines 1 to 23, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1651 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1651 ordered enrolled.

Assembly Bill No. 2048—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2048?

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 11, inclusive, and insert "and arrow when intoxicated"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2048 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke,

Crowley, Davis, Dickey, Dills, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2048 ordered enrolled.

Assembly Bill No. 3226—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3226?

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on April 5, 1951, strike out "four", and insert "five".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3226 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 3226 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. McMillan asked for, and was granted, unanimous consent that a letter of transmittal from the Assembly Interim Committee on Public Morals be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, May 18, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SIR: Your Interim Committee on Public Morals created by House Resolution 240 at the 1949 Regular Session of the Legislature, and consisting of:

Lester A. McMillan, Chairman
Luther H. Lincoln, Vice Chairman
Carl Fletcher
Montivel Burke
Mrs. Kathryn Niehouse
Ralph Brown

does herewith respectfully submit its report of the investigations, findings and recommendations of the committee.

Very respectfully,

LESTER A. McMILLAN, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC MORALS BE PRINTED AS SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. McMillan asked for, and was granted, unanimous consent that the Report of the Assembly Interim Committee on Public Morals be printed as a separate document, and that 500 copies be printed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 841, on request of Mr. Hagen.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 178

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 459

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 456
Senate Bill No 1644
Senate Bill No. 1745

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1204
Assembly Bill No. 1623
Assembly Bill No. 1665
Assembly Bill No 2474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bills ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Henderson:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 3.5, comprising Section 1031, to Part 3, Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry, and declaring the public policy of the State with respect thereto.

Respectfully submitted.

WALLACE D. HENDERSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Henderson:

An act to add Chapter 3.5, comprising Section 1031, to Part 3, Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry, and declaring the public policy of the State with respect thereto.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3436: By Mr. Henderson—An act to add Chapter 3.5, comprising Section 1031, to Part 3, Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry, and declaring the public policy of the State with respect thereto.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley.

Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.10 a m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3075

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 3075, temporarily passed on the unfinished business file, out of order, at this time.

Speaker Presiding

At 10.13 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 3075

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the vote whereby Assembly Bill No. 3075 was passed be reconsidered.

Assembly Bill No. 3075 refused reconsideration by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Hagen, Hahn, Henderson, Klocksiem, Levering, Lowrey, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, and Tomlinson—32

NOES—Belotti, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Dunn, Erwin, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lipscomb, Maloney, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Stewart, Waters, and Mr. Speaker—30.

Assembly Bill No. 3075 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to a motion to reconsider the refusal of the adoption of amendments, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel Requested by Chief Clerk as Instructed by Motion

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 17, 1951

Honorable Arthur A Ohnimus
Chief Clerk of the Assembly
Assembly Chamber

MOTION TO RECONSIDER REFUSAL OF ADOPTION OF AMENDMENTS
—No. 8484

DEAR MR. OHNIMUS: You have called our attention to the action of the Assembly on May 14, 1951, with reference to certain amendments

to Assembly Bill No. 2665, as appearing in the Assembly Journal for that day commencing at page 4264. Certain amendments were offered and adopted. Adoption of these amendments was reconsidered. Upon reconsideration, the amendments were refused adoption. Notice was then given that on the next legislative day a motion would be made to reconsider the vote whereby the amendments were refused adoption. Upon a question being raised the Speaker ruled that the notice was not in order, following which the bill was passed.

You have asked our opinion as to the correctness of the ruling on the point of order.

It is our opinion that the ruling of the Speaker was correct.

Section 85 of Mason's Manual of Legislative Procedure provides in part that no question may be reconsidered a second time unless it was so materially amended after the first reconsideration that it in fact presents a new question.

In this instance the amendments were considered and adopted. Reconsideration was granted and the amendments were then refused adoption—in each instance by a roll-call vote. There were, in effect, three votes expressing the will of the House upon these amendments. The second motion for reconsideration of the Assembly action on the amendments would merely have delayed the ultimate expression of the will of the Assembly with reference to the bill before it. We believe, therefore, that the Speaker correctly interpreted the rule of procedure, as set forth in Mason's Manual, that the notice of motion to reconsider was not in order.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2129

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2800

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1097
Assembly Bill No. 3022

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2885

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 1056

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1883
Assembly Bill No. 2327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred

Assembly Bill No. 357
Assembly Bill No. 2640

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 964

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—60.

NOES—Silliman—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 2487—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—58

NOES—Cloyed and Dunn—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 723—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 805—An act to amend Section 31555 of the Government Code, relating to the retirement of officers and attaches of municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1658—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1783—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1265—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1267—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1611—An act to add Section 3 to an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 741—An act to add Section 7190 to the Education Code, relating to the apportionment of the State School Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1577—An act to amend Section 13083 of the California Education Code, relating to the discretion of governing boards in certain districts to classify employees as permanent.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1153—An act to add Section 11128 of the Water Code, relating to use of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3145—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 35—Relative to tariffs on wine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 14 Hold Place on File

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No. 14 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3229—An act to amend Section 50 of the Fish and Game Code, relating to game management areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 813

Mrs Niehouse asked for, and was granted, unanimous consent that she be permitted to take up consideration of Senate amendments to Assembly Bill No. 813, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 813—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393.1, and 7394.1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 813?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 12, 1951, after the period, insert "No member shall succeed himself."

Amendment No. 2

On page 2, line 14, of said bill, as amended, strike out "shall be filled by appointment", and insert "during a term shall be filled".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 16 to 21, inclusive.

Amendment No. 4

On page 4, lines 43 and 44, of said bill, as amended, strike out "one dollar ($1)", and insert "two dollars ($2)".

Amendment No. 5

On page 4, lines 45 and 46, of said bill, as amended, strike out "one dollar ($1)", and insert "two dollars ($2)".

Amendment No. 6

On page 4, line 50, of said bill, as amended, strike out "one dollar($1)", and insert "two dollars ($2)".

Amendment No. 7

On page 5, line 2, of said bill, as amended, strike out "one dollar ($1)", and insert "three dollars ($3)".

Amendment No. 8

On page 5 of said bill, as amended, after line 8, insert

"SEC. 16. Subdivisions (g), (h), (j), and (*l*) of Section 15 of this act shall become effective January 1, 1952."

Amendment No. 9

On page 2, line 7, of the printed bill, as amended in the Senate on May 11, 1951, strike out "succeed"; and strike out line 8, and insert "serve as a member of the board for more than two consecutive terms."

Amendment No. 10

On page 2, line 15, of said bill, as amended, strike out "during"; and strike out line 16, and insert "shall be filled by appointment within 60 days, and vacancies occurring during a term shall be filled for the unexpired term."

Amendment No. 11

On page 5, line 5, of said bill, as amended, after "of", insert "Section 7442 of the Business and Professions Code as amended by".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 813 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 813 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3425

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3425, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3425

Assembly Bill No. 3425—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.50 a.m., Mr. Caldecott asked for, and was granted, unanimous consent that Mr. Dunn be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Messrs. Lowrey and Rumford announced that the beautiful flowers on their desks are opium poppies found growing in abundance in the Sacramento area by the State Narcotic Bureau, and urged members to be alert to the dangerous increase in the use of narcotics within the State of California.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Hinckley, Smith, Cloyed, and Shaw demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 326.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Chapel, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kirkwood, Lincoln, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—43.

NOES—Burkhalter, Clarke, Cloyed, Coats, Grant, Grunsky, Hahn, Hansen, Hinckley, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Niehouse, Porter, Shaw, Smith, and Stanley—20.

Bill ordered transmitted to the Senate.

Senate Bill No. 1808—An act to amend Sections 10270.7 and 10270.4 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 33—Relative to foot and mouth disease.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 67—Relative to scarcity of skilled milkers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 209—An act to amend the title of Article 3 of Chapter 4, Part 1, Division 6, and Section 6357 of the Public Resources Code, relating to procedure on establishment of ordinary high-water and low-water marks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

Bill ordered transmitted to the Senate.

Senate Bill No. 1549—An act to amend Section 1462.2 of the Penal Code, relating to procedure after arrests for misdemeanors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 143

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 143, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 143

Senate Bill No. 143—An act to amend Section 5075 and to add Sections 5076.1 and 5076.2 to the Penal Code, relating to the Adult Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 87

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 87, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 87

Senate Bill No. 87—An act to amend Sections 629 and 659 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 646

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 646, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 646

Senate Bill No. 646—An act to amend Section 476a of the Penal Code, relating to certain instruments.

Bill read third time.

Motion That Senate Bill No. 646 Be Re-referred to Committee

Mr. Coats moved that Senate Bill No 646 be withdrawn from third reading file, and be re-referred to the Committee on Judiciary.

Mr. George D. Collins seconded the motion.

Roll Call Demanded

Messrs. Waters, Doyle, and Evans demanded a roll call.

The roll was called, and the motion that Senate Bill No. 646 be withdrawn from file, and be re-referred to committee lost by the following vote:

AYES—Berry, Chapel, Clarke, Coats, George D. Collins, Condon, Davis, Elliott, Erwin, Hagen, Hahn, Hawkins, Henderson, Lowrey, McFall, Morris, Parker, Silliman, and Thomas—19.

NOES—Beck, Brown, Burke, Caldecott, Cloved, Collier, Connolly, Conrad, Cooke, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Maloney, McGee, McMillan, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Smith, Stanley, Tomlinson, and Waters—36.

The question being on the passage of Senate Bill No. 646.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 646, and Re-refer to Committee

Mr. Lindsay asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 646; and that Senate Bill No. 646 be re-referred to the Committee on Judiciary.

Senate Bill No. 646 ordered re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 220—An act to amend Sections 736.1-1 and 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.
NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1719—An act to amend Section 924 of the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 966—An act to repeal Section 28483 of, and to add a new Section 28483 to the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—Stewart—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 973—An act to amend Sections 7619, 7641, and 7665 of, and to add Sections 7610 and 7708 to, the Business and Professions Code, relating to the regulation of funeral directors and embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 210—An act to amend Section 6301 of the Public Resources Code, relating to jurisdiction and authority of the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 945—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to the definition of needy child.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 65: By Messrs. Lowrey and Stanley—Relative to study and investigation of the feasibility of an overall program of aviation education.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2299

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 312

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 312, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 312

Senate Bill No. 312—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Coats and Hagen—2.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Levering:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

Respectfully submitted.

HAROLD K. LEVERING

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Levering:

An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3437: By Mr. Levering—An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

Referred to Committee on Public Health.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 572, on motion of Mr. Brown.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 147

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (telegrams)	$99.75
Martyrs' (supplies)	2 11
International Roll-Call Corporation (roll call cards and freight)	218.95
Department of Finance (typewriter service)	21.73
Department of Finance (supplies)	45.37

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 147, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—66.
NOES—None.

By Messrs. Beck, Hollibaugh, Rosenthal, Hinckley, Cooke, Shaw, Stanley, Babbage, Tomlinson, Luckel, and Kelly:

House Resolution No. 148

Relating to memorializing the Federal Government to locate Regional Mobilization Offices at Los Angeles

WHEREAS, Optimum efficiency of any agency in constant contact with the population of several localities is attained only by location in the most populous locality, whether or not other areas are in that same jurisdiction; and

WHEREAS, The highest degree of autonomy for finality of decision consistent with national direction, furnished by a regional office, must exist at that location; and

WHEREAS, In the Western States, Los Angeles is the most populous area; the Southern California area contains 42 percent of the population, 46 percent of industrial production, and is performing 70 percent of the present war contracts of the three coastal states; and

WHEREAS, In World War II Los Angeles was the second largest war industry center in the Nation; its rate of increase has been the most phenomenal in the Nation; its retail demand is third nationally; and

WHEREAS, For Los Angeles the closest regional office administering the Defense Mobilization Program is 400 miles away; and

WHEREAS, Unnecessary expenditure of time and funds in travel and phone calls by private citizens and by the government, as in the last war, threatens to result again, unless such a regional office is located in Los Angeles; and

WHEREAS, Such inefficient extension of transportation and communication creates military vulnerability; and

WHEREAS, Regional offices could be established in Los Angeles at the present district offices with a modicum of expense to be saved by the elimination of a step in administration of the program for the most important area in the Western States; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and Administrators of the Defense Mobilization Program be respectfully memorialized to establish a regional office in Los Angeles for the Southern California-Arizona region; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Honorable Harry S Truman, President of the United States, David Stow, Administrative Assistant to the President at the Old State Building, Oscar Chapman, Secretary of the Interior, Eric Johnston, Economic Stabilization Administrator, William H. Harrison, Defense Production Administrator, Michael DiSalle, Director of Price Stabilization, Charles E Wilson, Director of Defense Mobilization, and Harry R. Sheppard, M. C., Chairman, California Delegation, all in Washington, D. C.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 213—An act to add Section 6358 to the Public Resources Code, relating to the surveys of state lands granted by the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3101

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 382

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 382, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 382

Senate Bill No. 382—An act to amend Section 53732 of the Government Code, relating to capital outlay funds of local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Dickey, Dills, Dolwig, Doyle, Gaffney, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Maloney, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Waters, and Mr. Speaker—41

NOES—Burke, Conrad, Cooke, Fleury, Geddes, Hinckley, Lowrey, Luckel, and Shaw—9.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Maloney announced that today is the birthday of Mr. Cooke, and expressed, on behalf of all Members of the Assembly, best birthday wishes.

Mr. Cooke expressed appreciation for the kind thoughts expressed, and announced that, as Mr. Henderson's birthday has gone by unnoticed, he desires to express to him, also, best birthday wishes.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 88

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 37—Relative to the naming of the James Lick Memorial Freeway;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911;

Assembly Bill No. 909—An act to add Section 30.06 to the Public Utility District Act, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States;

Assembly Bill No. 2125—An act to add Section 262 to the Agricultural Code, relating to bovine brucellosis;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 29—Relative to memorializing the Congress of the United States in relation to the furnishing of federal assistance, including arms, ammunition, clothing and equipment, to the California Defense and Security Corps and/or the California National Guard Reserve;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of May, 1951, at 11 a.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 321

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 321, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 321

Senate Bill No. 321—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declaration of candidacy.

Bill read third time.

Demand for Previous Question

Messrs. Collier, Morris, Hinckley, Dickey, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 321.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—George D. Collins, Condon, Elliott, Hawkins, McMillan, Parker, and Rosenthal—7.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3410, on request of Mr. Geddes.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302	Assembly Bill No. 1144
Assembly Bill No. 895	Assembly Bill No. 1579

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 521	Assembly Bill No. 1183
Assembly Bill No. 540	Assembly Bill No. 1534
Assembly Bill No. 710	Assembly Bill No. 3326
Assembly Bill No. 971	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 710, 971, 3326, and 302 re-referred to the Committee on Judiciary.

Assembly Bill No. 521 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 540 and 1183 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 1144, 1534, 895, and 1579 re-referred to the Committee on Public Health.

Senate Bill No. 1560 re-referred to the Committee on Judiciary.

Senate Bill No. 953 re-referred to the Committee on Ways and Means.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to James Utt of Santa Ana.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Walter "Bill" Hoffman of Ventura.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Coy White of Torrance.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Jack Smith of Burlingame, Mrs. Walter V. Coleman, Jr., and Lt. Walter V. Coleman, Jr., of Westfield, New Jersey.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Patsy Kelly of Stanford University and John Kelly and Earl Gibbons of University of California.

ADJOURNMENT

At 12 17 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 21, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY

EIGHTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 21, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Grant Us, Heavenly Father, The gracious blessing of Thy presence, for the deliberations of this day.

We pray for guidance for the President of the United States, Members of the Congress, our Governor, the Members of this Legislature, and those who are making the many important decisions in these hours of destiny. Enrich our lives with those virtues that fill the long day with satisfaction and endow us with a keen understanding and strength of character

As we look upon our Flag, remind us of our duty to God and our fellowmen.

"O Son of man, who walked each day
A humble road, serene and strong,
Go with me now upon life's way,
My comrade all the journey long
O Son of God, who came and shed
A light for all the ages long,
Thy company shall make me glad,
Thy fellowship shall keep me strong."

Through Jesus Christ, our Lord —AMEN.

REQUEST FOR UNANIMOUS CONSENT THAT NAME OF MEMBER ATTENDING MEETING OF COMMITTEE ON PUBLIC WORKS BE PLACED UPON MORNING ROLL CALL

Mr. Waters asked for, and was granted, unanimous consent that the name of a member attending the meeting of the Committee on Public Works, at this time, be placed upon the morning roll call as follows:

Mr. Stewart.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dickey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Gubser, on motion of Mr. Kirkwood.

Mr. Hollibaugh, on motion of Mr. Hinckley.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, May 19, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR MR. OHNIMUS: In accordance with the request stated in your letter of May 18th, I am returning herewith Assembly Bill No. 550 for further consideration by the Assembly.

Sincerely,

BEACH VASEY, Legislative Secretary

ACKNOWLEDGMENT OF RECEIPT OF ASSEMBLY BILL NO. 550

Received from Beach Vasey this nineteenth day of May, 1951, two copies of Assembly Bill No. 550 which were received in this office on May 16, 1951.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 550 FROM ENROLLMENT

Mr. Kirkwood asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the return from enrollment of Assembly Bill No. 550.

COMMUNICATIONS

By the Chief Clerk:

A communication from A. W. Harris, Chairman, General Committee, Brotherhood of Railroad Trainmen, San Francisco, wholeheartedly endorsing Assembly Joint Resolution No. 30 and the action taken by

the California Legislature on May 9, 1951, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., May 16, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature
State Capitol, Sacramento 14, California

DEAR SIR: Your letter of May 11, 1951, incorporating Assembly Joint Resolutions Nos. 28 and 30 noted

As Chairman of the California Delegation I want to express my appreciation for the comments contained in Joint Resolution 30 relative to the Central Arizona Project. Every member of the Delegation has applied himself most studiously to the defeat of the project and we now intend to apply the same effort in getting the Supreme Court to adjudicate the policy pertaining to the Colorado River Compact

Joint Resolution 28 will be brought to the attention of the Delegation at its first meeting.

Your sincerely,

HARRY R. SHEPPARD, M. C.

By the Chief Clerk:

A communication from William H. Darden, Chief Clerk, United States Senate, acknowledging receipt of a copy of Assembly Joint Resolution No. 28, which was referred to the Armed Services Committee of Congress, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 733
Assembly Bill No. 1097
Assembly Bill No. 3022

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 55
Assembly Bill No. 2601
Assembly Bill No. 2802

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2914
Assembly Bill No. 3159

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 549
Assembly Bill No 585
Assembly Bill No. 599
Assembly Bill No. 950
Assembly Bill No. 1074
Assembly Bill No. 1098
Assembly Bill No. 1192
Assembly Bill No. 1241
Assembly Bill No. 1245
Assembly Bill No 1609
Assembly Bill No. 1645
Assembly Bill No. 1647
Assembly Bill No. 1649
Assembly Bill No 1650
Assembly Bill No. 1773
Assembly Bill No 1940
Assembly Bill No 2763
Assembly Bill No. 3372
Assembly Bill No. 3416

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 94
Assembly Bill No. 272
Assembly Bill No 694
Assembly Bill No 1670
Assembly Bill No 1771
Assembly Bill No. 1772
Assembly Bill No. 1786
Assembly Bill No. 2282
Assembly Bill No. 2764

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 34

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 34—Relative to memorializing Congress to refuse the passage of H. R. 3348.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 3368 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 33
Assembly Concurrent Resolution No 57
Assembly Concurrent Resolution No 61

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 304
Senate Bill No. 566
Senate Bill No 762
Senate Bill No. 848
Senate Bill No 850
Senate Bill No 1453
Senate Bill No. 1552

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 304—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 566—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Referred to Committee on Municipal and County Government

Senate Bill No. 762—An act to amend Section 30507 of the Water Code, relating to county water districts.

Referred to Committee on Agriculture.

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits, bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1453—An act to amend Section 745.2 of the Agricultural Code, relating to the California Dairy Industry Board.

Referred to Committee on Agriculture.

Senate Bill No. 1552—An act to add Section 1192.4 to the Insurance Code, relating to investments of insurers

Referred to Committee on Finance and Insurance.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 733—An act to amend Sections 8352, 8354 and 8355 of, and to repeal Sections 8356, 8357 and 8358 of the Revenue and

Taxation Code, and to add Section 28 to the State Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1097—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3022—An act to amend Section 19330 of the Government Code, relating to leaves of absence for civil service employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1111—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "35002, 35003, 35004, 35005, 35158, 35214 and 35235 to, and amending Section 35101", and insert "35002.5, 35003, 35158 and 35326 to, and amending Sections 35101 and 35313".

Amendment No. 2

In line 4 of the title of said bill, after "corporations", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "35002", and insert "35002.5".

Amendment No. 4

On page 1, line 3, of said bill, strike out "35002", and insert "35002.5"

Amendment No. 5

On page 1, line 5, of said bill, strike out the colon; and in line 6, strike out "(a) A", and insert "a".

Amendment No. 6

On page 1, line 9, of said bill, strike out ", or", and insert a period; and strike out lines 10 to 23, inclusive; and on page 2, strike out lines 1 to 14, inclusive.

Amendment No. 7

On page 2, line 15, of said bill, strike out "35005", and insert "SEC. 2. Section 35003 is added to the Government Code, to read: 35003."

Amendment No. 8

On page 2, line 17, of said bill, strike out "35002", and insert "35002.5"

Amendment No. 9

On page 2, line 20, of said bill, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 10

On page 2, line 25, of said bill, strike out "SEC. 6", and insert "SEC. 4".

Amendment No. 11

On page 2, line 29, of said bill, strike out "either;" and insert "completely surrounded by such city."

Amendment No. 12

On page 2 of said bill, strike out lines 30 to 42, inclusive, and insert

"SEC. 5. Section 35313 of the Government Code is amended to read:

35313. At the time set for hearing protests the legislative body shall hear and pass upon all protests so made If protest is made by the owners of one-half of the value of the territory as shown by the last equalized assessment roll, *or if protest is made by public and private owners equal to one-half of the value of the territory proposed to be annexed as determined by the legislative body*, further proceedings shall not be taken.

SEC. 6. Section 35326 is added to said code to read:"

Amendment No. 13

On page 2, line 43, of said bill, strike out "35235", and insert "35326".

Amendment No. 14

On page 2, line 45, of said bill, strike out "either;" and insert "completely surrounded by such city."

Amendment No. 15

On page 2 of said bill, strike out lines 46 to 48, inclusive, and insert

"SEC. 7. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act is primarily designed to more strictly regulate the annexation of territory to a city. While such legislation has long been considered desirable, the need for it has become a matter of immediate urgency in connection with the programs for the reorganization of the inferior court system and for state school building aid, both of which programs were initiated as amendments to the California Constitution and which are of primary importance to all of the State.

Both of such programs are adversely affected by annexations effected by means which this act will prevent or discourage. In the case of the inferior court reorganization the designation of the judicial districts into which the State will be divided is made more difficult when the territory of a city is connected by narrow strips of land. It is essential to the orderly functioning of the judicial system that changes in territory of judicial districts be reduced to a minimum.

When territory is annexed to a city the boundaries of school districts which include such territory may also be affected, since in certain cases territory annexed to a city becomes part of the city school district.

Under certain circumstances, since October, 1950, a conditional apportionment to a school district for state school building aid becomes void, and the district receives no state money under such apportionment if part of the district is annexed to another school district In many cases this works great hardship on the district which has complied with all the requirements for state school building aid In order to forestall this hardship on other school districts it is essential that changes in the territory of school districts be reduced to a minimum. It is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2, line 37, of said bill, strike out "repealed.", and insert "amended to read:

SEC. 8. Sections 1, 3, 4, and 5 of this act shall become effective on the ninety-first day following the adjournment of this session of the Legislature, but shall not become operative until January 1, 1950, at which time they shall become operative with respect to all taxes for which a return has been or should have been filed pursuant to Section 7651 of the Revenue and Taxation Code on or after October 1, 1949, together with any interest and penalties accruing in connection therewith

All sections of this act, other than Sections 1, 3, 4, and 5, shall become effective and operative on the ninety-first day following the adjournment of this session of the Legislature.

All sections of this act shall remain in effect until the *end of the first quarterly period following the* ninety-first day after adjournment of the [1951] *1953* Regular Session of the Legislature, at which time they shall become nonoperative unless extended by further act of the Legislature."

Amendment No. 3

On page 2 of said bill, strike out line 38, and insert

"SEC 6. Section 5 of this act becomes operative at the".

Amendment No. 4

On page 2, line 39, of said bill, strike out "7", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2327—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 214 of", and insert "add Sections 214.3 and 214.4 to".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "214 of the Revenue and Taxation Code is amended", and insert "214.3 is added to the Revenue and Taxation Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 24, inclusive; strike out all of page 2, and insert

"214 3. In the event that any property described in subdivision (6) of Section 214 shall have been used solely for religious, charitable, scientific or hospital purposes for a minimum period of 20 years, the "welfare exemption" granted by Section 214 shall extend to such property irrespective of any reversionary provisions in the title of the property respecting liquidation, dissolution or abandonment, if the ownership, operation, use and dedication of the property are otherwise within the purview of Section 214.

SEC. 2. Section 214.4 is added to said code, to read:

214 4. Property used exclusively for school purposes of less than collegiate grade, or exclusively for purposes of both schools of and less than collegiate grade, and owned and operated by religious, hospital or charitable funds, foundations or corporations, which property and funds, foundations or corporations meet all of the requirements of Section 214, shall be deemed to be within the exemption provided for in Section 1c of Article XIII of the Constitution of the State of California and Section 214. This section shall not be construed to enlarge the college exemption."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2885—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20630.1 to", and insert "Article 6, comprising Sections 20930 to 20934, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of".

Amendment No. 2

In the title of said bill, strike out line 2, and insert "to the State Employees' ".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out ", where service has been performed for a local public agency.", and insert "in respect to credit for service to local public agencies."

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 6, comprising Sections 20930 to 20934, inclusive, is added to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code, to read:

Article 7. Local Service

20930. As used in this article, "local service" means service rendered as an officer or employee of a public agency maintaining a locally administered retirement system for its officers and employees, for which service the officer or employee received compensation from the public agency, and with respect to which he does not continue to receive credit in the locally administered retirement system or in this system, under contract between the public agency and this system, after he becomes a member of this system.

20931. Any member of this system who was in local service before entering state service has the right to elect, by written election filed with the board within one year after the effective date of this article or within one year after becoming a member of this system, whichever is later, to make contributions pursuant to Section 20932 for, and to receive credit in this system as state service for, all or any part of the time he was in local service. However, a member shall not receive credit as state service for any portion of his local service constituting prior service unless he has elected to make, and has made, contributions pursuant to Section 20932 for all of his local service constituting current service.

20932. Any member of this system who elects pursuant to Section 20931 to make contributions and receive credit as state service for all or any part of the time he was in local service shall contribute to the Retirement Fund, prior to the effective date of his retirement, by lump sum payment or by installment payments over a period not in excess of the length of time for which the member has elected to receive credit for local service as state service, at times and in a manner fixed by the board, an amount equal to the sum of (1) the contributions he would have made to the Retirement Fund if he had been in state service during the time he was in local service and for which he has elected to receive credit for state service, computed by applying the rate of contribution first applicable to him upon commencement of his membership in this system to the monthly compensation first earnable by him at the time of commencement of his membership multiplied by the number of months of local service for which he has elected to receive credit for state service and which will constitute current service under this system, (2) the contributions that would have been made by the State in respect to him if he had been in state service during the time he was in local service and for which he has elected to receive credit for state service, excluding any such contributions with respect to prior service, computed by applying the rate of state contribution with respect to members of his category at the time of commencement of his membership in this system to the monthly compensation first earnable by him at said time of commencement of his membership in this system multiplied by the number of months of local service for which he has elected to receive credit for state service and which will constitute current service under this system, and (3) the interest which would have accrued to such member contributions and such state contributions if they had been made on the date of commencement of membership of the member in this system, from that date until the completion of payment of those contributions, computed at the current interest rate.

At the time of his retirement a member shall not receive credit as state service for any local service in excess of that for which he has completed payment of contributions as provided in this section. Any member who has elected to make such contributions by installment payments may, at any time prior to the effective date of his retirement, complete payment of such contributions by lump sum payment. All contributions made pursuant to this section shall be considered to be, and shall be administered as, normal contributions by the member

20933. Upon completion of contribution of the amount specified in Section 20932, the member shall be credited with state service in the amount of local service for which he has elected to receive credit as state service. The state service with which the member is so credited shall be credited as current service, or prior service, or both, as it would be credited if the member had been in the state service during the time he was actually in local service.

20934. The exercise by a member of the right of election specified in Section 20931 shall not require any public agency by which the member was employed before commencement of his membership in this system to make any contributions to this system."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1072—An act making an appropriation for the repair and restoration of county roads damaged or destroyed by storms or floods, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for", and insert "to amend Sections 1 and 3 of an act entitled "An act making an appropriation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved April 25, 1951, relating to".

Amendment No. 2

In line 2 of the title of said bill, strike out "county roads", and insert "property".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby appropriated out of those funds in the Emergency Fund specified in Item 277 of the Budget Act of 1950, appropriated by Chapter 13 of the Statutes of 1951, the sum of one hundred [forty-five] *ninety-seven* thousand five hundred dollars [($145,500)] *($197,500)* to the Department of Finance, to be expended for repair and restoration of property damaged by storms or floods, seventy-five thousand five hundred dollars ($75,500), or so much thereof as may be necessary, to be allocated to the County of Mono to construct a new bridge on County Road No. 606 and to construct a new bridge, remove an old bridge and provide channel protection and grade approach work on County Road No 604 [and], seventy thousand dollars ($70,000), or so much thereof as may be necessary, to be allocated to the Mariposa Public Utility District, to restore the Stockton Creek Dam in Mariposa County, *and fifty-two thousand dollars ($52,000), or so much thereof as may be necessary, to be allocated to the County of Sierra to restore County Primary Road No. 5 and provide channel protection therefor, to restore County Secondary Road No. 308 and replace a bridge thereon, and restore County Secondary Road No. 504 and replace a bridge thereon.*

SEC. 2. Section 3 of said act is amended to read:

SEC. 3. It is the intent of the Legislature that the requirement of local matching for funds appropriated by Item 277 of the Budget Act of 1950 as amended is waived only for the purpose of alleviating extreme hardship in the case of [two] *three* counties which, after investigation by the Department of Finance and the Legislative Auditor and the issuance of a letter by the Governor as to the emergency within Section 34 of Article IV of the Constitution, have been determined to be priority cases for aid in repair of flood damage and have been determined to be without the ability to provide such aid by local sources.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

Facilities for the furnishing of governmental services necessary to the public health and safety of the people of this State were damaged and destroyed by recent storms and floods. In some areas, people have been isolated from their schools, stores, shops, and means of livelihood because of the destruction of and damage to bridges on county roads and in other areas, damage to the water supply and fire protection facilities has endangered the public health and safety.

In order that funds be made available for the immediate repair and restoration of these facilities and to remove a present threat to the public health and safety, it is necessary that this act take effect immediately "

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1302—An act to amend Sections 697, 699, and 701 of the Vehicle Code, relating to height and length, loads and towing of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 8, of the printed bill, after the period, insert

'This provision shall not apply where the combination of vehicles includes a pole or pipe dolly being used to transport steel rods "

Amendment No. 2

On page 2 of the printed bill, strike out lines 48 to 50, inclusive.

Amendment No. 3

On page 1, line 6, of the printed bill, after "feet", insert ", except semitrailers of not to exceed 40 feet in length may be operated on the designated sections of the following interstate highways and by the most direct route to and from cities and towns adjacent thereto: U. S 99—Calexico to Oregon border; U. S 40—San Francisco to Nevada border; U. S 50—San Francisco to Stockton; U. S 97—Weed to Oregon border; U. S 6—San Pedro to Nevada border; U S 91—Long Beach to Nevada border; U. S 66—Santa Monica to Arizona border; U. S 60—Los Angeles to Arizona border; U. S 80—San Diego to Arizona border; U. S 101—San Diego to Hamilton Field; U. S 395—San Diego to Nevada border.

Semitrailers over 35 feet in length shall not exceed 32 feet from the center of the turning axis (king pin) to the center of the rearmost axle".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 357—An act to add Section 6006.1 to the Revenue and Taxation Code, relating to the taxation of the privilege of selling and of storing, using or otherwise consuming tangible personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "(a)".

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2640—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to exemptions from sales and use taxes."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6386 is added to the Revenue and Taxation Code, to read:

6386 The preparation and furnishing of official copies of public records, documents or maps by any officer, department or employee of the State or of any county, city and county, city, or special district shall not be subject to the provisions of this part known as the "Sales and Use Tax Law."

SEC. 2. Section 6404 is added to the Revenue and Taxation Code, to read:

6404. The preparation and furnishing of official copies of public records, documents or maps by any officer, department or employee of the State or of any county, city and county, city, or special district shall not be subject to the provisions of this part known as the "Sales and Use Tax Law." "

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1056—An act to add Section 18021.5 to the Government Code, relating to overtime for state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 18021.5 to", and insert "amend Sections 11020 and 11021 of".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "to operation of state offices."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out all of lines 1 to 7, inclusive, and insert

"SECTION 1. Section 11020 of the Government Code is amended to read:

11020 Unless otherwise provided by law, all offices of every state agency, except the State Compensation Insurance Fund, shall be kept open for the transaction of business from 8 o'clock a.m. until 5 o'clock p.m. of each day *from Monday to Friday both inclusive*, other than legal holidays, but the office of Treasurer shall close one hour earlier [.], *provided, however, any state agency or division, branch or office thereof may be kept open for the transaction of business on other hours and on other days than those specified herein*.

SEC. 2. Section 11021 of the Government Code is amended to read:

11021. [A] *When a state agency is open or operates on Saturday such* state agency may operate with a skeleton crew from 9 o'clock a.m. to 12 o'clock noon of *each Saturday if the total number of hours per week of its employees is not less than* the total number of office hours established in this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 2129—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 21 of the printed bill, strike out "includes", and insert "means only those".

Amendment No. 2

On page 1 of said bill, strike out lines 22 and 23; and on page 2, strike out lines 1 to 5, inclusive, and insert "employed in the Bureau of Criminal Identifi-".

Amendment No. 3

On page 2, line 10, of said bill, after "personnel", insert "or those whose principal duties are clerical or otherwise and which do not clearly fall within the scope of active law enforcement service, even though such a person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active law enforcement".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 964—An act to amend Section 5837 of the Streets and Highways Code, relating to county maintenance districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5837", and insert "Sections 2824 and 5720".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "county maintenance districts", and insert "special assessment proceedings".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "5837", and insert "2824".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, between lines 2 and 3, insert

"Sec. 2824. The legislative body shall cause a written report upon the proposed improvement or acquisition to be prepared for it. The legislative body of a county may require the county surveyor *or the county road commissioner* to procure the required information and prepare the report, and the legislative body of a city may require the city engineer or the superintendent of streets to procure the required information and prepare the report. In lieu of the county surveyor, *county road commissioner*, city engineer or superintendent of streets, the legislative body of the city or county may employ any competent person to procure such information and prepare the report

SEC. 2. Section 5720 of the Streets and Highways Code is amended to read:

Sec. 5720. If a county is conducting the proceedings the legislative body may [appoint] *designate the county road commissioner or* any *other* competent county officer, other than the county surveyor, *to serve* without *additional* compensation *from the county*, as the officer to perform any or all of the duties conferred upon the street superintendent or the engineer in this division. *The duties thus transferred shall be the duties of the officer so designated, and all of the provisions of this division relating to such duties and to the incidental expenses thereof shall apply to such officer.*"

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 30, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, lines 26 and 27, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "four million four hundred thousand dollars ($4,400,000)", and insert "eight hundred sixty thousand dollars ($860,000)".

Amendment No. 2

On page 4, line 30, of said bill, strike out "the construction and equipment", and insert "major construction, improvements, and equipment, design, preliminary plans and specifications necessary for the establishment".

Amendment No. 3

On page 4, line 31, of said bill, after "alcoholism", insert "and for the establishment and operation of outpatient clinics as".

Amendment No. 4

On page 4 of said bill, strike out lines 34 to 38, inclusive, and insert

"Of the money appropriated by this act not more than four hundred thousand dollars ($400,000) is available for the establishment and operation of outpatient clinics."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1623—An act to amend Sections 20864, 20921, 20922, 21253, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258.1, 21258.2, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "21253,".

Amendment No. 2

On page 2 of said bill, strike out lines 43 to 52, inclusive; and on page 3, strike out lines 1 to 25, inclusive.

Amendment No. 3

On page 9 of said bill, strike out lines 22 to 24, inclusive; and in line 25, strike out "greater", and insert "the board, the sum of four hundred dollars ($400)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge and Recreational Park by the State and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "and Recreational Park".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. The Department of Fish and Game is authorized and directed to acquire and maintain as a wildfowl refuge, the Buena Vista Lagoon, situated in San".

Amendment No. 3

On page 2 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC 2 The sum of fifty thousand dollars ($50,000) is appropriated from the Fish and Game Preservation Fund to the Department of Fish and Game to be ex-".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "from Ventura Boulevard", and insert "Route 2".

Amendment No. 2

On page 1, line 22, of said bill, strike out "or force account,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Motion to Place Rush Order on Printing of Assembly Bill No. 2474

Mr. Levering moved that a rush order be placed upon the printing of Assembly Bill No. 2474.

Motion carried.

Assembly Bill No. 2299—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28116", and insert "28117".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "sixteenth", and insert "seventeenth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28116", and insert "28117".

Amendment No. 4

On page 1 of said bill, strike out line 3, and insert
"28117. In a county of the seventeenth class the following".

Amendment No. 5

On page 1, line 7, of said bill, strike out "five thousand dollars ($5,000)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 6

On page 1, line 9, of said bill, strike out "three thousand dollars ($3,000)", and insert "six thousand dollars ($6,000)".

Amendment No. 7

On page 2 of said bill, after line 6, insert
"*The compensation provided by this section shall be payable to incumbent officers.*

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 88—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fairs from taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 94.6 to,".

Amendment No. 2

In line 2 of the title of said bill, after "taxation", insert "and the exemption of district and county fairs and concessions from license fees".

Amendment No. 3

On page 1 of said bill, after line 13, insert

"SEC. 2. Section 94.6 is added to said code, to read:

94.6 District agricultural association fairs and county fairs, and the persons, corporations or organizations operating as concessionaires on such fairgrounds during the scheduled period of the fairs, are exempt from the payment of any city or county license fees for such activities during such periods."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

SECOND READING OF SENATE BILLS

Senate Bill No. 218—An act to amend Section 6518 of the Health and Safety Code, relating to the laying of sewers and drains in public streets and roads by sanitary districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 459—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary lines, streets and highways and vehicles using the same.

Bill read second time, and ordered to third reading.

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 29, 1951, after "Code," insert "and Section 446 of the Education Code,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "three thousand dollars ($3,000)", and insert "two thousand seven hundred dollars ($2,700)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 35, insert:

"The compensation provided by this section shall be payable to incumbent officers

SEC. 2. Section 446 of the Education Code is amended to read:

446. The annual salary of the county superintendent of schools of a county of the forty-sixth class is five thousand [one hundred dollars ($5,100)] *four hundred dollars ($5,400)*, and if acting as superintendent of a coterminous county unified school district the salary shall be five thousand [four hundred dollars ($5,400)] *seven hundred dollars ($5,700)*, and he shall possess a valid elementary administrative credential issued by the State Board of Education.

SEC. 3. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 456—An act to amend Sections 143.1, 143.2, and 188.4 of the Streets and Highways Code, relating to state highway revenues and expenditures, and the budgeting and reporting thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 48, of the printed bill, strike out "major", and insert "any".

Amendment No. 2

On page 2, line 49, of said bill, strike out "shown in said budget under Item (c)", and insert "for which funds are available during any fiscal year".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1644—An act to add Section 714.5 to the Vehicle Code, relating to weight capacity on county bridges

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, after "714.5.", insert "Maximum Weights on County Bridges."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 5 of the printed bill, as amended in the Senate on May 2, 1951, strike out line 30, and insert "sumer. Such".

Amendment No. 2

On page 7 of the printed bill, as amended in the Senate on May 2, 1951, strike out lines 7 to 11, inclusive, and insert

"6 Loads of three (3) wire and five (5) wire baled hay shall be limited to seven (7) bales in height when bales are loaded flat and six (6) bales in height when bales are loaded otherwise Nothing in this section shall be construed as an exemption from the load height provisions of this code."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by disabled veterans from the motor vehicle license fee.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 75?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 21, 1951, after "vehicle", insert ", other than a commercial vehicle,".

Amendment No. 2

On page 1, line 9, of said bill, as amended, after "any", insert "Such"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 75 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr Speaker—56.

NOES—None.

Assembly Bill No. 75 ordered enrolled.

Assembly Bill No. 383—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 383?

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "Six months", and insert "Five years".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 383 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr Speaker—57.

NOES—None.

Assembly Bill No. 383 ordered enrolled.

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 653?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "filing"; and strike out all of lines 7 to 10, inclusive, and insert "who violates this section is guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars ($500), or by both such fine and imprisonment."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 653 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 653 ordered enrolled.

Assembly Bill No. 1990—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of, and to add Section 6019 to, the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1990?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, after "creditors", insert "or".

Amendment No. 2

On page 1, line 15, of said bill, as amended, after "receiver", strike out the comma.

Amendment No. 3

On page 1, line 15, of the printed bill, as amended in the Senate on May 14, 1951, after "creditors", strike out "or," and insert ", or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1990 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1990 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 14 Hold Place on File

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No. 14 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 766—An act to amend Sections 737q, 737bb, and 737vv of the Political Code, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Shaw, Sherwin, Smith, Waters, and Mr. Speaker—48.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3254 Hold Place on File

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No. 3254 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 55—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532.5 to, the Elections Code, relating to purity of elections

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 18, 1951, after the period, insert "No contribution to a candidate need be reported on his campaign statement if before filing such statement such contribution has been returned to the contributor."

Amendment read.

Roll Call Demanded

Messrs. Conrad, Kirkwood, and Silliman demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, Meyers, Shaw, Sherwin, Silliman, Smith, Tomlinson, and Waters—38

NOES—Coats, Condon, Cooke, Crowley, Davis, Hagen, Henderson, Luckel, McFall, and Moss—10.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Bill read third time.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2601, on motion of Mr. Cooke.

Assembly Bill No. 2553—An act to amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4739.5, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to, the Health and Safety Code, relating to the powers and bonds of county sanitation and other sewer districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 178—An act to add Section 44.8 to the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2800—An act to amend Section 19583.5 of the Government Code, relating to state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—60

NOES—Sherwin—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 10, 1951, strike out lines 13 to 18, inclusive, and insert

"3495. Notwithstanding anything to the contrary elsewhere in the law, whenever a claim arises out of the alleged negligence of an employee of any governmental agency in the operation of any public conveyance or vehicle, except an authorized emergency vehicle as defined in Section 44 of the Vehicle Code, the time for filing any action against the governmental agency is the same as that permitted for filing a similar action against a private person which period shall start to run from the date the cause of action arose, irrespective of the time the claim in respect thereto is filed or presented as a condition to bringing the suit or otherwise."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3101

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3101, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3101

Assembly Bill No. 3101—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 21, 1951

Arthur A. Ohnimus, Chief Clerk
Assembly State of California

DEAR SIR: Pursuant to Assembly request, I am herewith returning Assembly Bill No. 550 from enrollment

Very truly yours,

MONTIVEL A. BURKE, Chairman
Committee on Legislative Procedure

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO REQUEST SENATE TO RESCIND ACTION UPON ASSEMBLY BILL NO. 550

Mr. Waters asked for, and was granted, on behalf of Mr. Stewart, unanimous consent that the Chief Clerk be instructed to request the Senate to rescind the action whereby it passed Assembly Bill No. 550.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2914

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2914, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2914

Assembly Bill No. 2914—An act to amend Sections 27281 and 27300a of the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—51.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2818 WAIVED

Mr. Lyon waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2818 was refused passage.

CONSIDERATION OF SENATE FILE (OUT OF ORDER, BY UNANIMOUS CONSENT)

THIRD READING OF SENATE BILLS

Senate Bill No. 1137—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on April 19, 1951, after "fairs", insert ", district agricultural associations and quarter horse racing associations".

Amendment No. 2

On page 1, line 15, of said bill, after the period, insert "Racing days allowed by the board to licensed quarter horse racing associations under this article shall not diminish the number of racing days per year allowed to state, county, or agricultural districts fairs."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill after line 21, insert

"Whenever water is in fact delivered by a district for human consumption or domestic use, notwithstanding any written or implied agreement that it shall not be so used, the district shall comply with all provisions of Chapter 7, Part 1, Division 5 of the Health and Safety Code and shall be subject to the penalties provided therein."

Amendment read.

Senate Bill No. 261, with proposed amendment, ordered passed on file.

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Bill read third time, and ordered passed on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 37: By Mr. Belotti—Relative to federal aid for defense highway projects.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Chapel:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

Respectfully submitted.

CHARLES EDWARD CHAPEL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Chapel:

An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3438: By Mr. Chapel—An act to amend Section 1600 of the Education Code and to add Section 1600.5 and 1600.6 thereto, relating to newly formed school districts.

Referred to Committee on Education.

COMMUNICATIONS

By Mr. Meyers:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 17, 1951

Honorable Charles W. Meyers
Member of the Assembly
State Capitol, Sacramento, California

MY DEAR ASSEMBLYMAN: Confirming our conversation regarding Assembly Bill No. 1890, I wish to express my appreciation of the manner in which you have handled this matter. I appreciate your willingness to introduce this measure at the request of the Superintendent of Banks.

The veto of this measure was the result of a series of errors commencing with the Superintendent and culminating in this office. The unfortunate result was that the message was inaccurate in stating my reason for returning the bill.

It was most courteous of you to hold the matter on the unfinished business file until we had an opportunity to discuss it. Following our conversation and as indicated to you, you are at liberty to take such further action as you deem most appropriate. It is most regrettable that you have been caused any embarrassment as the result of a series of misunderstandings and mistakes.

I wish to assure you of my feeling of appreciation to you in view of the unfortunate results attending your willingness to handle this measure for one of our state departments.

Sincerely,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1890

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up consideration of the Governor's veto to Assembly Bill No. 1890, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1890 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Stewart—1.

NOES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr Speaker—57.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr Meyers asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to oaths of deputies and examiners of the Banking Department, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 15, 1951

Honorable Charles W. Meyers
Assembly Chamber

OATHS OF DEPUTIES AND EXAMINERS OF
BANKING DEPARTMENT—No. 8436

DEAR MR. MEYERS:

Question

You have asked us to advise whether the repeal of Section 232 of the Banking Code, which is the purpose of Assembly Bill No. 1890, would eliminate the requirement for the taking of oaths of office by deputies and examiners of the Superintendent of Banks in the event of a future repeal of the 1950 loyalty oath statute (Stats. 1950, 3rd Extra Sess., Chap. 7).

Opinion

In our opinion the repeal of Section 232 of the Banking Code would not have such an effect.

Analysis

The Government Code already contains a requirement for the taking of an oath of office by officers (Section 1360) and employees (Section 18150). These sections were not repealed by the enactment of the 1950 loyalty oath statute (Stats. 1950, 3rd Extra Sess., Chap. 7), although that act does provide that compliance with its provisions will also constitute compliance with the general oath required of state employees generally (Government Code, Sec. 3106). The 1950 loyalty oath statute did not make a similar provision with respect to the oaths of officers since

its provisions are not applicable to officers required to take the constitutional oath.

Section 232 of the Banking Code (Section 232 of the Financial Code effective on the ninety-first day after final adjournment; Chapter 364 of 1951 Statutes) requires the taking of the oath of office by deputies and examiners of the Superintendent of Banks. In our opinion this requirement merely duplicates the existing provisions in Sections 1360 and 18150 of the Government Code, which sections would continue to require the oath of office for such persons in the event that the 1950 loyalty oath statute should cease to be operative at some future date.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By J. D. STRAUSS, Principal Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 1578—An act to add Section 707.5 to the Streets and Highways Code, relating to removals and relocations of utility facilities to accommodate state freeways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2802

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2802, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2802

Assembly Bill No. 2802—An act to provide for funds for the construction of a tube under the estuary between Oakland and Alameda in the refinancing of the San Francisco-Oakland Bay Bridge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 46—An act to add Section 1953.6 to the Government Code, relating to the liability of a county officer for the acts of any deputy or employee serving under him.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1695—An act to add Section 6304.5 to the Public Resources Code, relating to cooperation by the State Lands Commission with the Federal Government in the development and maintenance of small boat harbors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—63.
NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.13 a.m., on motion of Mr. Lindsay, the Assembly recessed until 11.16 a.m. to hear remarks from Leo Carrillo, famous motion picture star.

REASSEMBLED

At 11.16 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 53—An act to amend Section 1481 of the Government Code, relating to the use of a master official bond covering officers, employees or agents required to give official bond.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 314—An act to add Sections 5026.3 and 5049.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 75—Relating to Henry H. Benedict.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—59

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hansen (By request of Messrs. Sherwin and Doyle):

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Respectfully submitted.

WILLIAM W. HANSEN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hansen (By request of Messrs. Sherwin and Doyle):

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3439: By Mr. Hansen (By request of Messrs. Sherwin and Doyle)—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT

Speaker Sam L. Collins announced that it is important that all members handling Senate bills obtain their explanations of said bills from Senators, at once, and urged that explanations on bills, needed in the Senate, be taken there without further delay.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1869

Mr. Babbage asked for and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1869, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1869—An act to amend Section 1191 of the Penal Code, relating to judgments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1869?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "After a plea or verdict of guilty, or after a", and insert "In the superior court, after a plea, finding or verdict of guilty' or after a finding or".

Amendment No. 2

On page 1, line 7, of said bill, after "verdict", insert ", finding".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "or of receiving the probation officer's report made pursuant to Section 1203 of this code", and insert "and may further extend the time until the probation officer's report is received and until any proceedings for granting or denying probation have been disposed of".

Amendment No. 4

On page 1, line 17, of said bill, strike out "Chapter 6, Title 10, Part"; and strike out lines 18 to 20, inclusive, and insert "this code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1869 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1869 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, after the period, insert "A copy of the deed executed by the Director of Finance shall be transmitted to the State Lands Commission."

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Hagen:

House Resolution No. 149

Relative to congratulating Jimmy Coe upon being the Champion Speller of the Central Valleys

WHEREAS, It has come to the attention of this Assembly that James Q. (Jimmy) Coe has recently proven himself the Champion Speller of the Central Valleys; and

WHEREAS, Jimmy is a 13 year old boy residing in Hanford, Kings County, California, and attends the eighth grade at Pioneer Union Elementary School in Hanford; and

WHEREAS, Jimmy earned the title of Champion Speller on May 12th in the finals of the central valleys spelling bee sponsored by the McClatchy newspapers and radio stations; and

WHEREAS, This Assembly, on behalf of the State of California, is remarkably proud of Jimmy and his fine art of orthography by which he overcame 23 other county champions to earn his title; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend the heartiest congratulations to Jimmy Coe on his achievement in earning the title of Champion Speller of the Central Valleys; and be it further

Resolved, That the Assembly also extends its heartiest congratulations to Maxine Showalter of Fresno who placed second in the spelling bee, and to Ronald Zimmerman of Exeter who placed third, and to each of the other 21 county champions whose fine spirit of competition so exemplifies the American way of life and ideals of democratic philosophies; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Master James Q. Coe, Route 1, Box 648-E, Hanford; Miss Maxine Showalter, 547 Ferger Avenue, Fresno; and Master Ronald Zimmerman, Route 2, Box 838, Exeter, as tokens of recognition of their accomplishments.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 16, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 4, and 5 of Article IV of the Constitution of said State, relating to the term of office of Members of the Assembly and Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—61.

NOES—Brown, Elliott, Fleury, and Luckel—4.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 34

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 34, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 34

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by an amendment to the first paragraph of Section 1, and to Sections 3, 4, 5, 6, 17, 19, and 27 of, and to add Section 38 to Article IV, relating to the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—Babbage, Brown, Clarke, Collier, Fleury, Lanterman, Luckel, McCollister, McMillan, and Moss—10.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 57

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 57, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 57

Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to candidates for judicial office.

Resolution read, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 424

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 424, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 424

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 424

Mr. Grunsky asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 424.

Assembly Bill No 424 ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kirkwood:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act adding Sections 35002.5, 35003, 35158 and 35326 to, and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately

Respectfully submitted.

ROBERT C. KIRKWOOD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Kirkwood:

An act adding Sections 35002.5, 35003, 35158 and 35326 to, and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gafney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3440: By Mr. Kirkwood—An act adding Sections 35002.5, 35003, 35158 and 35326 to and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

ANNOUNCEMENTS

Mr. Moss announced a Democratic luncheon, and Caucus, today upon adjournment, at the Hotel Sacramento.

Mr. Stanley announced a Republican breakfast, and Caucus, tomorrow morning, Tuesday, May 22d, at Hart's restaurant, at 7 30 a.m.

Mr. Levering announced that all members who have not set their bills for hearing in the Committee on Industrial Relations are urged to see him this afternoon.

EXPLANATION OF ABSENCE

May 21, 1951

I have been absent from the session of the Assembly all this morning, because I have been presenting legislation, passed by the Assembly, before the Senate Judiciary Committee for its approval

GEORGE D COLLINS, JR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 146—An act to amend Section 3924 of the Elections Code, relating to ballots;

Assembly Bill No. 147—An act to amend Section 3830 of the Elections Code, relating to ballots;

Assembly Bill No. 149—An act to amend Section 3041 of the Elections Code, relating to independent nominations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 150—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots;

Assembly Bill No. 151—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate;

Assembly Bill No. 152—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 153—An act to amend Section 688 of the Elections Code, relating to oaths;

Assembly Bill No. 154—An act to amend Section 658 of the Elections Code, relating to the eligibility of election officers.

Assembly Bill No. 156—An act to add Section 678 5 to the Elections Code, relating to precinct boards and polling places;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 157—An act to add Section 46.5 to the Elections Code, relating to circulators of petitions;

Assembly Bill No. 165—An act to amend Section 3702 of the Elections Code, relating to ballot paper;

Assembly Bill No. 195—An act to amend Section 2540 of the Elections Code, relating to qualified political parties;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 196—An act to amend Sections 7964 and 7971 of the Elections Code, relating to canvass;

Assembly Bill No. 197—An act to amend Section 7964 5 of the Elections Code, relating to canvass;

Assembly Bill No. 198—An act to amend Sections 8001, 8002, 8003, 8004, 8005, and 8008 of the Elections Code, relating to recount of ballots;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 199—An act to amend Sections 8137, 8140, and 10552, and to repeal Sections 8138 and 8139 of the Elections Code, relating to proceedings after announcement of election returns;

Assembly Bill No. 200—An act to amend Section 9050 of the Elections Code, relating to elections;

Assembly Bill No. 202—An act to amend Section 32002 2 of the Health and Safety Code, relating to elections in hospital districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m

BURKE, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 203—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names and providing for due notification by the cities effecting such changes to the county clerk and county surveyor of the county in which the city is situated;

Assembly Bill No. 204—An act to amend Sections 19090, 19091, 19092, 19094, and 19250 of the Streets and Highways Code, relating to calling and conducting elections,

Assembly Bill No. 205—An act to amend Section 2707 of the Elections Code, relating to publications;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 755—An act to add Section 1115 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System;

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5309, 5310, 5315, 5709, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5907, 5909, and 5910 of the Labor Code, to repeal Sections 5313, 5314, 5906, 5908, and 5950 of said code; and add Sections 5313, 5906, 5908, 5908.5, 5911, and 5950 to said code; and to amend the titles of Chapter 7, and Article 1 of Chapter 7, of Part 4 of Division 4 of said code, all relating to workmen's compensation;

Assembly Bill No. 1160—An act to add Section 789 to, and to amend Section 1170 of, the Probate Code, relating to real property,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1512—An act to add Section 7076.1 to the Water Code, relating to water wells,

Assembly Bill No. 1893—An act to add Section 5620.5 to the Elections Code, relating to grounds for challenge;

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire alarm apparatus and false alarms, providing punishment therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2284—An act to amend Section 28145 of the Government Code, relating to compensation for public services in counties of the forty-fifth class;

Assembly Bill No. 2378—An act to amend Section 33024 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2436—An act to amend Section 7072 of the Elections Code, relating to canvass at the precincts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2437—An act to amend Sections 11108 and 11120 of the Elections Code, relating to municipal officers;

Assembly Bill No. 2672—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis";

Assembly Bill No. 2694—An act to amend Sections 2383 and 2384 of the Business and Professions Code, relating to unprofessional conduct;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2807—An act to amend Section 14290 of the Business and Professions Code, relating to trade-marks;

Assembly Bill No. 2909—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3, Title 4 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed and rubbish abatement;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 59—Relative to the sixty-seventh birthday of the Honorable Harry S Truman;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1—An act to add Section 1256.1 to the Code of Civil Procedure, relating to condemnation proceedings;

Assembly Bill No. 30—An act to add Sections 19440 and 19441 to the Education Code, relating to use of school property;

Assembly Bill No. 129—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 148—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen;

Assembly Bill No. 222—An act to amend Section 5007 of the Education Code, relating to the investment of school district funds;

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 355—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance;

Assembly Bill No. 661—An act to add Section 9483 to the Elections Code, relating to municipal elections;

Assembly Bill No. 666—An act to add Section 272 to the Labor Code, relating to security for wages;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 773—An act to amend Section 538 of the Code of Civil Procedure, relating to affidavit for attachment;

Assembly Bill No. 904—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments;

Assembly Bill No. 1286—An act to amend Section 7651 of the Revenue and Taxation Code, relating to returns under the Motor Vehicle Fuel License Tax Law;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1299—An act to amend Section 195 of the Vehicle Code, relating to chattel mortgages on vehicles;

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1738—An act to add Section 2211 to the Education Code, relating to the joint use and maintenance of school buildings and other school facilities by contiguous or coterminous school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1868—An act to amend Section 4530 of the Penal Code, relating to escapes;

Assembly Bill No. 2046—An act to add Section 1162 to the Fish and Game Code, relating to possession of firearms on highways or other public ways;

Assembly Bill No. 2220—An act to amend Section 5932 of the Elections Code and to repeal Sections 5882 and 7791.5, and Article 3a of Chapter 5 of Division 8 of said code, relating to absent voting;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2309—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists;

Assembly Bill No. 2459—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals;

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3403—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas,

Assembly Bill No. 3412—An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films, and declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 3421—An act making an appropriation for expenses of Members of the Assembly, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2939—An act to amend Section 2421 of the Education Code, relating to school districts;

Assembly Bill No. 3072—An act to add Section 1590.5 to the Labor Code, relating to the regulation of employment agencies;

Assembly Bill No. 3227—An act to amend Section 73 of the Agricultural Code, relating to fairs and expositions.

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1561
Assembly Bill No. 2922

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15	Assembly Bill No. 2281
Assembly Bill No. 593	Assembly Bill No. 2366
Assembly Bill No. 765	Assembly Bill No. 2372
Assembly Bill No. 869	Assembly Bill No. 2880
Assembly Bill No. 951	Assembly Bill No. 3417
Assembly Bill No. 2022	Assembly Bill No. 3418

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 951 re-referred to the Committee on Public Health.

Assembly Bill No. 2880 re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3417 re-referred to the Committee on Industrial Relations.

Assembly Bill No. 2366 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 1561, 869, and 2372 re-referred to the Committee on Education.

Assembly Bills Nos. 15, 593, 765, 2022, 2281, 3418, and 2922 re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2474

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3175

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 2474 re-referred to the Committee on Ways and Means.

Assembly Bill No. 3175 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

At 8 p.m.—

Judiciary, in Room 2170
Finance and Insurance, in Room 3184.
Subcommittee on Public Health, in Room 432.

Tomorrow, Tuesday, May 22d, at 9.15 a.m.—

Rules, in Room 3186.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mrs. Niehouse and Messrs. Conrad, Levering, and Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Leo Carrillo of Santa Monica.

On request of Mr. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paris Dills of Compton.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Miss Elizabeth Kelley and Mrs. Marion C. Beale, teachers, and the following pupils of the Grant School of San Francisco: Kirk Beales, Paul Blum, John Bloyder, Stephen Breyer, Sally Brooks, Jacqueline Brown, Cornelia Campbell, Tony Cary, Terry Chavez, Susan Cohen, Elizabeth Crary, Cathy Dean, John Debenham, Ann Dunniway, Patricia Ellis, Susan Fisher, Jean Garcia, Lynn Gilman, Ann Golden, Donald Gray, David Hammon, Bill Hinshaw, Robert Hermann, Edward Hobbs, Michael Hone, Kenneth Kahn, Joan Kaufmann, Julie Klein, Frank Krasne, Nancy Kubin, Joe Lasky, Carol Leeds, Marc Leland, Thomas Lloyd, Claude Lowen, Graham Luce, Mary MacBain, Sandra Maxwell, Sylvia McPherson, Sally Mierson, Martin Minney, Douglas Mosley, Bill Page, Nelson Parker, Robert Randall, Reed Rogers, Tania Sargeant, Nancy Sawyer, Lynn Sherman, Philip Sevier, Sharon Shira, Kenny Takahashi, Zada Taylor, Yuriko Tsuji, Bill Tram, Edward Warthen, Bill Weishaar Danny Welsh, Ravenald Williams, Suzanne Wollett, Elizabeth Wright, and Fulton Wright.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Hollis, Mr. White, Mrs. Gaylord, Miss Melbourne, Miss Ayer, Mr. Fleming, Mr. Smith, and Mrs. Zumwalt, teachers, and a group of pupils of the Martinez School.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clifton Chappell of Cucamonga.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Mark Lickter of Northridge.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Robert L. DuBose and Don Warren, teachers, and the following pupils of the Camino-Placerville Junior Academy: Edwin Winslow, Lowell Plubell, John Floodman, Mervin Hatton, Bob Floodman, Quintin Laubach, Kenton McCullough, Marvin Johnson, Byron Langworthy, and Wayne Ruckle.

ADJOURNMENT

At 12.21 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, May 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 22, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art In Heaven,

Hallowed be Thy name.

We commit ourselves unto Thee, our Refuge, and our Present Help in the time of trouble—our Hiding Place and Covert from the tempest.

As we begin the duties of this day, hold before us the challenge of an important service to God and our native land. Guide the President of the United States, our Governor, our own presiding officer and the members of this body that we may be directed into pathways of faithfulness.

"The strength of every State increase
In Union's golden chain;
Her thousand cities fill with peace,
Her million fields with grain.
The virtues of her mingled blood
In one new people blend;
By unity and brotherhood,
America befriend!"

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clarke, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hollibaugh, on motion of Mr. Geddes.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Tomlinson, on motion of Mr. Levering.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

BROWN, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 396

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1189
Assembly Bill No. 1463

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 302

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 302
Assembly Bill No. 1045
Assembly Bill No 1049
Assembly Bill No 2018
Assembly Bill No. 3323

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3428

Has had the same under consideration, and reports the same back with the recommendation Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 841
Assembly Bill No 3159

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1111
Assembly Bill No 1883
Assembly Bill No. 2327

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 2464

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LUCKEL, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 753
Assembly Bill No 912
Assembly Bill No. 978
Assembly Bill No. 1739
Assembly Bill No. 2127
Assembly Bill No 2133
Assembly Bill No 2730
Assembly Bill No 2892

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1211—*An act to amend Section 14254 of the Government Code,* relating to state public works projects

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 111
Senate Bill No. 215
Senate Bill No. 330
Senate Bill No. 1026
Senate Bill No. 1242
Senate Bill No. 1534

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 977
Assembly Bill No. 1126
Assembly Bill No. 1521
Assembly Bill No. 1523
Assembly Bill No. 2078
Assembly Bill No. 3376

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 76
Senate Concurrent Resolution No. 74

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 76—Relating to institution of a course in agricultural flying at Davis.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 74—Relating to establishing R. O. T. C. flying instruction at Davis.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XXIV thereof, relating to civil service.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 761
Senate Bill No. 1108
Senate Bill No. 1717
Senate Bill No. 1816

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 761—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Referred to Committee on Fish and Game.

Senate Bill No. 1717—An act to amend Section 51b of the Public Utility District Act, relating to the annexation of territory to public utility districts declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 1816—An act to validate the acts and proceedings taken by or on behalf of fire protection districts in unincorporated territory.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 279—An act to add Sections 687, 687.1, and 687.2 to the Vehicle Code, relating to equipment of vehicles.

And appointed Senators Abshire, Way, and McCarthy, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 279

The Speaker announced the appointment of Messrs. Lyon, Kelly, and Elliott as a Committee on Conference concerning Senate Bill No. 279.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

And appointed Senators Way, McCarthy, and Abshire, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1744

The Speaker announced the appointment of Messrs. Babbage, Belotti, and Brady as a Committee on Conference concerning Senate Bill No. 1744.

RESOLUTIONS

The following resolution was offered:

By Mr. Cooke:

House Resolution No. 150

Congratulating Tommy Maloney on his sixty-second birthday

WHEREAS, Tuesday, May 22, 1951 is the great day when Thomas A. Maloney will celebrate his sixty-second birthday; and

WHEREAS, Born a San Franciscan (perhaps the most ardent) of Irish parents, he shared the colorful youth and growing virility with that city, and was among the founders of a truly San Franciscan organization, the South of Market Boys, having been one of the founders and President of said organization; and

WHEREAS, The Journals of this House and of the Legislature abound in never changing praise and approval of his energy, joviality, competence, and integrity, leaving only now to be re-emphasized the proudest fact of all: Tommy, the father of four children, now has 11 grandchildren; and

WHEREAS, His friendship and kindliness are constantly in evidence, and have won for him the admiration and affection of his colleagues; and

WHEREAS, He has been re-elected to the Assembly in 1950 without opposition and has served as Speaker pro Tempore of the Assembly since 1943; now, therefore, be it

Resolved by the Assembly of the State of California, That congratulations be extended to Tommy Maloney with all the heartiness of his own abundant nature; and be it further

Resolved, That the Chief Clerk of the Assembly prepare suitable copies of this resolution so that Tommy can keep an irrefutable running account of his birthdays and number of grandchildren.

Request for Unanimous Consent

Mr. Cooke asked for, and was granted, unanimous consent to take up House Resolution No. 150, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, and amend Section 26822 of the Government Code, relating to transfer fees in probate proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 11?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "probate", and insert "court".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 11 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 11 ordered enrolled.

Assembly Bill No. 94—An act to amend Sections 32127 and 32130 of the Health and Safety Code, relating to hospital districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 94?

Amendment No. 1

On page 2, line 50, of the printed bill, as amended in the Assembly on March 23, 1951, after "treasurer", insert ", or such other official of the district as may be authorized by the board of directors,".

Amendment No. 2

On page 3, line 8, of said bill, as amended, insert a period after "year"; and strike out lines 9 to 16, inclusive, and insert "The district is further authorized when funds shall be needed to meet current expenses of maintenance and operation, to borrow money on certificates of indebtedness or other evidence of indebtedness in an amount not to exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation of the district, said certificates of indebtedness to run for a period not to exceed five years and to bear interest not to exceed 5 percent per annum."

Amendment No. 3

On page 3, line 18, of said bill, as amended, strike out "two-thirds", and insert "three-fifths".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 94 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—58
NOES—None.

Assembly Bill No. 94 ordered enrolled.

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1771?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on March 15, 1951, strike out "any", and insert "an".

Amendment No. 2

On page 6, line 45, of said bill, as amended, after "in", insert "the".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1771 by the following vote:

AYES—Fleury and Grant—2.
NOES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 1771

The Speaker announced the appointment of Messrs. Brown, Fleury, and Munnell as a Committee on Conference concerning Assembly Bill No. 1771.

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1772?

Amendment No. 1

On page 3, line 50, of the printed bill, as amended in the Assembly on March 15, 1951, strike out "name", and insert "names".

Amendment No. 2

On page 4, line 27, of said bill, after "city", insert "and".

Amendment No. 3

On page 6, line 4, of said bill, after "districts," insert "or".

Amendment No. 4

On page 6, line 8, of said bill, after "trial", insert "of".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1772 by the following vote:

AYES—Dickey, Dolwig, Doyle, Fleury, McCollister, McGee, and Sherwin—7.
NOES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Silliman, Smith, and Stewart—49.

Appointment of Committee on Conference Concerning Assembly Bill No. 1772

The Speaker announced the appointment of Messrs. Brown, Fleury, and Munnell as a Committee on Conference concerning Assembly Bill No. 1772.

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720,

721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1, of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1786?

Amendment No. 1

On page 4, line 9, of the printed bill, as amended in the Assembly on March 15, 1951, after "for", insert "in".

Amendment No. 2

On page 6, line 41, of said bill, as amended, strike out "said", and insert "same".

Amendment No. 3

On page 7, line 18, of said bill, as amended, after "when", insert a comma.

Amendment No. 4

On page 9, line 16, of said bill, as amended, after "Plaintiff", insert a comma.

Amendment No. 5

On page 22, line 35, of said bill, as amended, after "diligence", insert a comma.

Amendment No. 6

On page 23, line 16, of said bill, as amended, after "of", insert "the".

Amendment No. 7

On page 26, line 3, of said bill, as amended, after "order", insert a comma.

Amendment No. 8

On page 26, line 16, of said bill, as amended, strike out "pleading", and insert "pleadings".

Amendment No. 9

On page 41, line 20, of said bill, as amended, strike out "five hundred dollars ($500)", and insert "three hundred dollars ($300)".

Amendment No. 10

On page 43, line 43, of said bill, as amended, after "code", insert a comma

Amendment No. 11

On page 45, line 42, of said bill, as amended, strike out "isued", and insert "issued".

Amendment No. 12

On page 46, line 27, of said bill, as amended, strike out "money", and insert "moneys".

Amendment No. 13

On page 47, line 26, of said bill, as amended, strike out "an", and insert "on".

Amendment No. 14

On page 50, line 30, of said bill, as amended, after "appear", insert a comma.

Amendment No. 15

On page 51, line 33, of said bill, as amended, after "interest", strike out "to", and insert "in".

Amendment No. 16

On page 54, line 11, of said bill, as amended, strike out "appeal", and insert "appealed".

Amendment No. 17

On page 57, line 9, of said bill, as amended, strike out "therein", and insert "thereon".

Amendment No. 18

On page 58, line 35, of said bill, as amended, after "new", insert "or".

Amendment No. 19

On page 63, line 22, of said bill, as amended, after "courts", insert a comma.

Amendment No. 20

On page 66, lines 7 and 8, of said bill, as amended, strike out "by an endorsement on such warrant, that the person charged", and insert "must be made, reciting the facts as occurring in such immediate".

Amendment No. 21

On page 8, line 47, of the printed bill, as amended in the Senate on April 13, 1951, strike out "five days from the entry of said", and insert "10 days of the mailing to him of notice of entry of".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1786 by the following vote:

AYES—Dickey, Dolwig, Fleury, Gaffney, Maloney, McCollister, and Sherwin—7.

NOES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sillman, Smith, Stewart, and Waters—54

Appointment of Committee on Conference Concerning Assembly Bill No. 1786

The Speaker announced the appointment of Messrs. Brown, Fleury, and Munnell as a Committee on Conference concerning Assembly Bill No. 1786.

Assembly Bill No. 2282—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2282?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "28131", and insert "28136".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "thirty-first", and insert "thirty-sixth".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "28131", and insert "28136".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 22, inclusive, and insert

"28136. In a county of the thirty-sixth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand two hundred dollars ($4,200)] *five thousand four hundred dollars ($5,400)* a year

(b) The district attorney, [three thousand nine hundred dollars ($3,900)] *seven thousand two hundred dollars ($7,200)* a year.

(c) Each supervisor, [one thousand eight hundred dollars ($1,800)] *two thousand four hundred dollars ($2,400)* a year and mileage at the rate of twenty cents

($0.20) a mile for the distance usually traveled in going from his home to the county seat and returning.

(d) Grand jurors and trial jurors in the superior court shall receive five dollars ($5) for each day's attendance and twenty cents ($0.20) for each mile actually and necessarily traveled from their residences to the county seat, in going only. [In justices' courts the jurors sworn to try the case shall receive two dollars ($2) for each day's attendance and fifteen cents ($0.15) for each mile actually and necessarily traveled from their residences. The per diem and mileage in the justices' courts shall be allowed only to the jurors sworn to try the case.] *Trial jurors in the justices' courts shall receive five dollars ($5) for each day's attendance and twenty cents ($0.20) for each mile actually and necessarily traveled from their residences to the justices' courts, in going only.*

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2282 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2282 ordered enrolled.

Assembly Bill No. 2764—An act to add Section 87.3 to the Agricultural Code, relating to boards of directors of agricultural fairs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2764?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "add Section 87.3 to", and insert "amend Section 87 of".

Amendment No. 2

Strike out lines 1 to 7, inclusive, of said bill, as amended, and insert

"SECTION 1. Section 87 of the Agricultural Code is amended to read:

87. The board of directors may, with the approval of the Department of Finance:

(a) Fix the term of office, the amount of bond, salary and prescribe the duties of the secretary and of the treasurer.

(b) Manage the affairs of the association.

(c) Make all necessary by-laws, rules and regulations for the government of the association.

(d) Arrange for and conduct or cause or by contract permit to be conducted by any other individual, institution, corporation or association, upon its property at such time as they may deem advisable, any activity, notwithstanding other provisions of the code.

(e) Delegate, as it may deem advisable, to its officers or employees any of the powers vested in the board under subdivisions (b) and (d) of this section. Any such delegation of powers may be revoked at any time.

An agricultural association shall not lease its race track, for running races of horses, to any private person, firm or corporation except to a national or international exposition or its affiliated corporations or associations for the period of time now permitted by law for fairs. The provisions of this subdivision shall not apply to existing leases or extensions or renewals thereof."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2764 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lanterman,

Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2764 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 14—An act to amend Sections 2799, 2800, 2802, 2805, 2815, and 2816 of the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state committees thereof.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Motion carried. Time, 10.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Burkhalter, Caldecott, Chapel, Cooke, Davis, Dickey, Dills, Geddes, Kilpatrick, Lyon, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, and Stanley—18

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to the Communist Registration Act, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 18, 1951

Honorable Julian Beck
Assembly Chamber

COMMUNIST REGISTRATION ACT—NO. 8531

DEAR MR. BECK:

Question

You have requested a brief opinion as to the constitutionality of Assembly Bill No. 1573, relating to the registration of members of Communist organizations and regulating the activities of registrants.

Opinion

It is our opinion that the statute, if enacted, would be held unconstitutional by the courts.

Analysis

Assembly Bill No. 1573 would require the registration of every person who resides in, is employed in, has a regular place of business in, or who regularly enters or travels in this State, and who is, or becomes a member of any Communist organization. The act would also prohibit such registrants from acquiring or carrying certain dangerous weapons or explosives, and excludes them from appointment to positions in civil defense organizations. Persons violating the provisions of the act would be subject to criminal penalties.

Assembly Bill No. 1573 is the counterpart of Ordinance No. 5579 of the County of Los Angeles which was held unconstitutional in the recent cases of *People* vs. *McCormick* and *People* vs. *Steinberg* (1951), 102 A.C.A. Supp. 854.

The *Steinberg* case was commenced in the Justices Court of Belvedere Township, County of Los Angeles Judge Myer B. Marion on a ruling on demurrer (No. 35,072) held Ordinance No. 5579 unconstitutional on the following grounds:

(1) Abridgement of freedom of speech and peaceable assembly guaranteed by the First and Fourteenth Amendments of the United States Constitution.

(2) Denial of due process of law because of such vague, indefinite, and unascertainable standards.

(3) Impairment of the privilege against self incrimination guaranteed by Section 13, Article I of the State Constitution.

(4) Invasion of the field of foreign affairs which is reserved to the national sovereignty.

The *Steinberg* case and its companion case, the *McCormick* case, were appealed to the Appellate Department of the Superior Court for Los Angeles County, which affirmed the judgments of the lower courts on the ground that the ordinance was unconstitutional as a violation of the prohibition against self incrimination (102 A.C.A. Supp. 854).

In addition to the provisions contained in Ordinance No. 5579, Assembly Bill No. 1573 contains the following provision:

> "Any information obtained through such registration may not be used by any public official in relation to prosecutions for violation of any other state statute as such use would be against the public interest." (Par. 2, Sec. 7).

The two statutes, in our opinion, cannot be distinguished because of this additional provision since such provision would not furnish a registrant with a protection equal to his constitutional privilege against self-incrimination which the courts have required. (*Ex parte Cohen* (1894), 104 Cal. 524; *In Re Williams* (1932), 127 Cal. App. 424; *Counselmen* vs. *Hitchcock* (1892), 142 U.S. 547.)

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By DELBERT E. WONG, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 987

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 979
Assembly Bill No. 2064
Assembly Bill No. 2374
Assembly Bill No 2946

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1689
Assembly Bill No 2474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2011

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Assembly Joint Resolution No. 36

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 62
Senate Concurrent Resolution No. 63
Senate Concurrent Resolution No. 64
Senate Concurrent Resolution No. 65
Senate Concurrent Resolution No. 66

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2689

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2329

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2880

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2339

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No 1582

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2885

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1957

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1626

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 501
Assembly Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 974

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 516
Assembly Bill No. 519
Assembly Bill No. 2496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 249
Assembly Bill No. 2081
Assembly Bill No. 2577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 91	Assembly Bill No. 885
Assembly Bill No. 521	Assembly Bill No. 1715
Assembly Bill No. 884	Assembly Bill No. 2936

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1097—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, and Waters—59

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3022—An act to amend Section 19330 of the Government Code, relating to leaves of absence for civil service employees.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 19334 to,".

Amendment No. 2

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 19334 is added to said code to read.

19334. An appointing power, upon request, shall grant a leave of absence of at least six months without pay, to any employee under his jurisdiction who becomes pregnant, unless in his opinion the position could not satisfactorily be filled during such leave. In such event, at any time within six months after the employee leaves her employment, she may request that her name be placed upon all reemployment lists for her position and the board shall so place her name as if she had been laid off at the time of separation."

Amendments read.

Roll Call Demanded

Messrs. Hawkins, Elliott, and Dills demanded a roll call

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Davis, Dolwig, Dunn, Hagen, Hollibaugh, Kilpatrick, Lyon, Morris, Niehouse, Rumford, Stanley, Thomas, and Tomlinson—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 14

At 10.57 a.m., on motion of Mr. Conrad, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 14 passed by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stewart, and Waters—42.

NOES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Doyle, Dunn, Elliott, Gaffney, Hagen, Henderson, Lowrey, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Rosenthal, and Shaw—25.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 841

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 841, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 841

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1111—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Bill read third time.

Motion to Amend

Mr. Munnell moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out ", de-"; and strike out lines 6 and 7, and insert a period.

Amendment No. 2

On page 3 of said bill, strike out lines 14 to 47, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2885—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "Section".

Amendment No. 2

On page 1, line 6, of said bill, strike out "7" and insert: "6"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly on May 14, 1951, before "services", insert "additional".

Amendment No. 2

On page 4, line 37, of said bill, strike out "in addition to those provided for by this chapter".

Amendment No. 3

On page 4, line 47, of said bill, after the period, insert "Any additional services or facilities furnished pursuant to this section shall meet all of the requirements of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 694

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up consideration of amendments to Assembly Bill No. 694, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 694?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 12, 1951, strike out "amend Section 6422 of", and insert "add Section 2810 to".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "the issuance of bonds to represent", and insert "proceedings for the construction of sidewalks and the levy of".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "6422 of", and insert "2810 is added to".

Amendment No. 4

On page 1, line 2, of said bill, as amended, strike out "is amended".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 3 to 11, inclusive, and insert "2810. None of the provisions of this division shall apply to proceedings hereafter commenced for the construction of sidewalks when required for the safety of pupils attending the schools within a city and the necessity for such requirement is found to exist by the legislative body of such city conducting said proceedings, expressed by resolution adopted by the affirmative vote of four-fifths of the members thereof. The findings and determinations made by the legislative body pursuant to this section shall be final and conclusive upon all persons in the absence of actual fraud."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 694 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—65.

NOES—None

Assembly Bill No 694 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1670

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1670, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1670—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting

of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1670?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 18, 1951, strike out "Imperial County", and insert "counties in the mountain trading area lying south of the southern boundaries of San Luis Obispo, Kern and Inyo Counties".

Amendment No. 2

On page 4 of said bill, as amended, between lines 16 and 17, insert

"(h-1) Changes Required or Authorized by Federal Price Regulations For the purpose of complying with the General Ceiling Price Regulation, Economic Stabilization Agency, or with any other applicable federal law, ruling, rule, or regulation respecting prices, or for the purpose of increasing a price or prices when an increase in ceiling price is authorized by any such law, ruling, rule, or regulation, price schedules and fair trade contracts or changes therein may be filed with the board at any time and shall become effective immediately upon filing; provided, that in the latter case the applicable price schedule and fair trade contract or changes therein must be filed with the board not later than the twentieth day of the month following the month in which said increase in ceiling price is first authorized. Publication of such price schedules or changes therein shall be made as provided in paragraph (j) of this section on or before the first day of the month following the month in which said price schedule or changes therein is filed with the board Price schedules or changes therein filed pursuant to this paragraph shall contain the statement: "Filed to comply with federal pricing laws and regulations" or "Filed to increase prices as first authorized on (inserting the date)". Notwithstanding any other provision of this section, price schedules and fair trade contracts or changes therein made effective pursuant to this paragraph shall remain in effect until changed in accordance with the provisions of this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1670 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—59

NOES—None

Assembly Bill No. 1670 ordered enrolled.

Speaker Pro Tempore Presiding

At 11.13 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No 88	Assembly Bill No 1954
Assembly Bill No. 357	Assembly Bill No 2069
Assembly Bill No 964	Assembly Bill No 2129
Assembly Bill No 1056	Assembly Bill No 2299
Assembly Bill No. 1072	Assembly Bill No 2640
Assembly Bill No 1302	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1204
Assembly Bill No. 1623
Assembly Bill No. 1665

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1954, 1072, 2129, 1204, 1623, and 1665 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 357 and 2640 re-referred to the Committee on Revenue and Taxation.

Assembly Bills Nos. 964 and 2299 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2069 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1302 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1056 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 88 re-referred to the Committee on Agriculture.

Assembly Bill No. 3390 re-referred to the Committee on Conservation, Plannning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1137—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—52.

NOES—Beck, Coats, George D. Collins, Hahn, Lowrey, Moss, and Shaw—7.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. HAWKINS TO ASSEMBLY BILL NO. 3022

At 11.22 a.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Hawkins to Assembly Bill No. 3022 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins,

Henderson, McFall, McMillan, Meyers, Munnell, Parker, Porter, Rosenthal, and Shaw—27.

NOES—Babbage, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Erwin, Fleury, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stewart, and Waters—41

The question being on the passage of Assembly Bill No. 3022.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 16, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 13 to 25, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 11.27 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Senate Bill No. 1644—An act to add Section 714.5 to the Vehicle Code, relating to weight capacity on county bridges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 526

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 526, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 526

Senate Bill No. 526—An act to amend Section 221 of, and to add Section 227p to the Civil Code, relating to the adoption of adults.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Erwin and Burkhalter:

House Resolution No. 151

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island, netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1953, with authority to file its final report not later than the last legislative day of the 1953 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this

session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 640, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "twenty-five thousand dollars ($25,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 2

On page 1, lines 22 and 23, of said bill, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 3

On page 1, line 24, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendments read.

Roll Call Demanded

Messrs. Grunsky, Cooke, and Silliman demanded a roll call.

The roll was called, and the amendments offered by Mr. Grunsky to Senate Bill No. 640 adopted by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Erwin, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, Munnell, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—41.

NOES—Beck, Berry, Clarke, George D. Collins, Condon, Dickey, Dills, Doyle, Dunn, Elliott, Gaffney, Hawkins, Henderson, Lyon, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Parker, and Rumford—22.

On this day a notice of motion to reconsider the above amendments was given. See page 4592.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from American Legion Post No. 361 of Atwater, relative to the Merced County General Hospital, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 38: By Messrs. Burkhalter and Beck—Relative to the reopening of Birmingham General Hospital.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 961

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 961, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 961

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "550,000", and insert "63,500".

Amendment No. 2

On page 1, line 10, of said bill, strike out "550,000", and insert "63,000".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that a communication be printed in the Journal, as follows:

STATE OF CALIFORNIA, DIVISION OF BEACHES AND PARKS
DEPARTMENT OF NATURAL RESOURCES
SACRAMENTO 14, May 16, 1951

Hon. Lloyd W. Lowrey
Member, State Assembly
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN LOWREY: I am taking the liberty of replying to your letter of May 14, 1951, in the absence of Chief Newton B. Drury of this division.

The State Park Commission at its meeting in San Francisco on May 4, 1951, rescinded the action it took in December, 1950, not to renew the grazing concession of Mrs. Miriam Rudisill in Del Norte Coast Redwoods State Park in Del Norte County. It has now granted Mrs. Rudisill an extension, on a year-to-year basis, of her grazing concession in that park.

This concession, as is true of all grazing concessions in the State Park System, may be granted only for park protection purposes, namely: fire protection. The State Park Commission is not authorized to grant grazing concessions solely upon the need

for grazing in the area of the park involved. Grazing activities must not in any way interfere with the recreational use of the areas involved. Further, when grazing appears to be changing the native character of the park lands involved, the commission may defer grazing on the area until reasonable recovery of the vegetation has occurred.

At the present time, more than 80,000 acres are being grazed by private concessioners in state park areas. In the last three years, approximately 6 percent has had to be withdrawn from grazing for one reason or another The largest portion of this 6 percent was withdrawn in Anza Desert State Park which supports a minimum number of animals per acre and which we could not get anyone interested in

The entire matter of grazing policy was discussed at the May meeting of the State Park Commission and representatives of the Wool Growers Association and the State Farm Federation appeared before the State Park Commission and were assured that it shall be the continuing policy of the Park Commission to permit grazing where such grazing does not interfere with the recreational use of the area, the general wildlife associations, and will definitely reduce the fire hazards

Sincerely yours,

NEWTON B DRURY, Chief
Division of Beaches and Parks
By EARL P HANSON, Deputy Chief

cc: Supt. E. P. French (2)

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 14, 1951; Tuesday, May 15, 1951; Wednesday, May 16, 1951; Thursday, May 17, 1951 and Friday, May 18, 1951 were approved as corrected by the Minute Clerk.

RECESS

At 11.57 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000);

Assembly Bill No. 492—An act to add Chapter 4, comprising Sections 4400 to 4405, inclusive, to Part 8 of Division 1 of Title 1 of the Corporations Code, relating to corporations, and providing for the effectuation of plans of reorganization under any applicable statute of the United States;

Assembly Bill No. 576—An act to repeal Sections 25663, as added by Chapter 557 of the Statutes of 1949, and as added by Chapter 72 of the Statutes of 1951, and 26421, and to add Sections 25663 and 25663c to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 652—An act to amend Section 13931 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms;

Assembly Bill No. 672—An act to amend Section 16482 of the Education Code, relating to the testing of the sight and hearing of public school pupils;

Assembly Bill No. 747—An act to amend Section 5243 of the Streets and Highways Code, relating to local improvement proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 754—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways;

Assembly Bill No. 813—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393 1, and 7394 1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists;

Assembly Bill No. 849—An act to amend Sections 4, 6, and 11 of, and to add Section 4 5 to, the Defense Production Act, relating to employment and working conditions of female employees, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 980—An act to amend Section 6410 of the Labor Code, relating to the failure to report injuries and the penalty therefor;

Assembly Bill No. 1014—An act to amend Section 320 of the Vehicle Code, relating to records;

Assembly Bill No. 1015—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296 5, 5901 5, 5904 5, 5931.6, 5932.5, 5935 5, 5936 5, 7801 5, and 7842 5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964.1, 7970.5, 7971 5, and 7972.5 to the Elections Code, relating to elections;

Assembly Bill No. 1082—An act to add Section 9003 to the Elections Code, relating to special elections;

Assembly Bill No. 1158—An act to add Section 269b to, and to amend Section 261g of, the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1314—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent;

Assembly Bill No. 1651—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees;

Assembly Bill No. 1873—An act to add Section 24205 3 to the Education Code, relating to the conferring of degrees by schools and colleges;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2012—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway;

Assembly Bill No. 2048—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated,

Assembly Bill No. 3226—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3407—An act to amend Section 220 of the Public Utilities Code, relating to common carriers;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 1879 FROM THE SENATE

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1879 for further consideration.

ANNOUNCEMENT

Messrs. Hansen and Henderson announced that the raisins which have been placed on the desks of members have been distributed through the courtesy of the Sun Maid Raisin Growers, of Fresno.

BILLS WITHDRAWN FROM INACTIVE FILE

The following resolution was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 59, on request of Mr. Maloney.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Hansen, Hinckley, Kelly, Kirkwood, Lauterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 521

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 521, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 521

Senate Bill No. 521—An act to repeal Section 28431 and add Section 28431 to the Health and Safety Code, relating to inspection legends on canned food packed under cannery inspection supervision.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1055

Mr Dunn asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1055, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1055

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

~~Urgency clause read, and adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll calls, which should appear in strikeout type, are indicated by being inclosed within brackets:

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—61.

NOES—None]

~~The roll was called, and the bill passed by the following vote:~~

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—61.
NOES—None.]

~~Bill ordered transmitted to the Senate.~~

On May 23, 1951, the Assembly requested the Senate to return Senate Bill No. 1055 to the Assembly (page 4629).

On May 24th, the Senate returned the bill (page 4650); and on the same day, the Assembly rescinded the above actions whereby the urgency clause was adopted and the bill passed (page 4686).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 638

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 638, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 638

Senate Bill No. 638—An act to amend Sections 50¾ and 57½ of the Public Utilities Act, and to amend Section 1906 of, and to add Section 1073 to, the Public Utilities Code, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—61.
NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3159

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3159, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3159

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532 5 to, the Elections Code, relating to purity of elections.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "Section 4532.5", and insert "Sections 4532.2 and 4532.5".

Amendment No. 2

On page 1, line 5, of said bill, strike out "No contribu-", and insert
"SEC. 2. Section 4532.2 is added to said code, to read:
4532.2. No contribu-".

Amendment No. 3

On page 1, line 8, of said bill, after "contributor", insert "; provided that no part of such contribution has been used in the promotion of the nomination or election of such candidate. Such contributor shall not thereafter pay, loan, contribute or otherwise furnish to such candidate, and such candidate shall not thereafter accept from such contributor, the amount of such contribution or any part thereof for use, directly or indirectly, in aid of such nomination or election, in payment of expenses incurred for such purpose or in reimbursement for such payment".

Amendment No. 4

On page 1, line 9, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 1, lines 14 and 15, of said bill, strike out "report under oath", and insert "render a full and true report of".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 155, on request of Mr. Kelly.

Assembly Bill No. 3423, on request of Mr. Lincoln.

REMARKS ON CONDITION OF FILE

Mr. Beck spoke on the condition of the file.

Mr. Maloney spoke on the condition of the file.

MEMBER EXCUSED

At 2.24 p.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

NOTICE OF MOTION TO RECONSIDER AMENDMENTS TO SENATE BILL NO. 640

Mr. Gaffney gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Grunsky to Senate Bill No 640 were this day adopted.

Motion That Notice of Motion to Reconsider Be Taken Up, at This Time

Mr. Grunsky moved that the notice of motion by Mr. Gaffney to reconsider the vote whereby the Assembly, on this day, adopted the amendments offered by Mr. Grunsky to Senate Bill No. 640 be taken up, at this time.

Mr. Silliman seconded the motion.

Motion carried.

Motion to Reconsider Amendments to Senate Bill No. 640

Mr. Gaffney moved that the vote whereby the amendments to Senate Bill No. 640 were adopted be reconsidered.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Gaffney is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion to reconsider.

The roll was called, and the amendments to Senate Bill No. 640 refused reconsideration by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, George D Collins, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Evans, Gaffney, Hagen, Henderson, Luckel, Maloney, Meyers, Morris, Moss, Parker, Porter, and Rumford—24.

NOES—Babbage, Belotti, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Erwin, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lyon, McCarthy, McFall, McGee, Niehouse, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—33.

Bill order reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1071

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 928

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Davis asked for, and was granted, unanimous consent that a letter of transmittal from the Interim Committee on Fairs and Expositions be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
INTERIM COMMITTEE ON FAIRS AND EXPOSITIONS, May 22, 1951

Hon. Sam L. Collins, Speaker of the Assembly
California State Legislature
Sacramento, California

MR. SPEAKER: Your Committee on Fairs and Expositions, created pursuant to House Resolution No. 285, 1949 Session, herewith submits its final report and recommendations.

This report is based on a two-year study, by committee members, of fairs and expositions and their relationship to education and economy.

The committee is grateful to the many individuals and organizations which have cooperated in the gathering of material and information for this report.

The undersigned committee has the honor to submit its report on fairs and expositions.

In submitting this report on the work of the Interim Committee on Fairs and Expositions, the chairman and committee members desire to state that their primary purpose is to give a fairly complete current picture of how district and county fairs are actually operating in California. The attempt has been made to present objectively the problems which exist and which must be solved, to inform the Members of the Legislature and the public generally of the State's investment in fairs, to set forth the educational and cultural contributions which fairs make, to indicate in a general way the economic and commercial importance state-supported district and county fairs have attained in the business life of California, and finally to present certain constructive suggestions concerning the operation of county and district fairs. The committee does not make recommendations on every problem which perplex fair managers and fair directors. But we do hope that the recommendations which are presented and that the general information here made available will make easier the solution of problems to which we here propose no specific answers.

Respectfully,

LESTER T. DAVIS, Chairman
JOHN W. EVANS
JOHN E. MOSS, JR.
CHARLES S. GUBSER
L. STEWART HINCKLEY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS A SEPARATE DOCUMENT AND THAT 1,500 COPIES BE PRINTED

Mr. Davis asked for, and was granted, unanimous consent that the above letter of transmittal, and Report of the Assembly Interim Committee on Fairs and Expositions, be ordered printed as a separate document, and that 1,500 copies be printed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Health, in Room 3184.
Social Welfare, in Room 426.
Special meeting Committee on Ways and Means, in Room 435.
Subject: Assembly Bill No. 1954.

At 8 p.m.—

Fish and Game, in Room 3184.

Today Upon Adjournment—

Special meeting of Agriculture, at desk of Mr Clarke.

It was announced that the following committees would hold no meetings today:

Agriculture.
Elections and Reapportionment.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Louis Gabriel Collingswood of New Jersey and Mrs. Charles J. Conrad of Hollywood.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Donald E. Hanson of San Diego.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Jock Hales of Glendale.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to Capt. Earl James of Los Angeles.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Willard H. Van Dyke, teacher, and the following pupils of the Tamalpais Union High School, Mill Valley: Barbara Vincent, Jane Dalton, Irene Cervantes, and Jerry Cummings.

On request of Mr Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to C E Berry of San Diego.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Miriam Adams, teacher, and the following pupils of the Fair Oaks School: Barbara Allread, Frances Birch, Merrilee Collins, Jo Ann Currington, Doris Davis, Joel Dominick, John Frei, Marian Glass, Dorothy Harmison, Kurt Heilbronner, Diana Hildebrand, Dennis Irvine, Patricia Kellam, Mary Anna McEvoy, Arden Millermon, Bessie Morrow, Lynda Lou Neal, Paul Parker, Geraldine Paul, William Pettite, Bud Riley, Danny Sady, Janet Spellman, David Steele, James Steinke, Marjorie Stinger, Linda Swanson, Joe Tingley, Gloria Tonzi, and John Trimmer.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to George Brady of Compton.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth Hilliard and Ben Kimber of Modesto.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to E. McCortney, teacher, and the following pupils of the Vallejo College: Walford H. Mallory, Quenten Smith, Howard E. Bjeike, Loraine Bjeike, Tom Gaul, Loretta Joy Lau, Elspeth Goddard, Eloise Cereda, Marjorie Murphy, Ida Ann Raymus, Italo Grossi, Leonard E. Chavin, Owen Holy, and Dave Price.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to R. B Johnson, Jr., and Mrs. Fredrick R. Morey, teachers, and the following pupils from the East Nicolaus Union High School: Deniece Baldwin, Don Burton, Ellen Conrad, Art Coupe, Frances Coupe, Audrey Rae Coppin, Esther Darrach, Eugene Fioro, Gary Flanery, Tom Hasegawa, Stan Horton, Bill Jetton, Frank Johnson, Alex Johnston, Ralph Keys, Vesta LaFortune, Albert McQuiston, Concetta Ochipinti, Phyllis Pappas, Kathleen Ramos, Bethel Renner, Julian Rolufs, Richard Shalz, Jane Schoefer, Bud

Schneider, Larry Smith, Nancy Swetzer, Kathryn Theodosis, and Ray Vincent.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Evelyn Van Vlear, teacher, and the following pupils of the Stockton College: Daroyl Askew, Edna Baham, Sylvia Bashor, Gerald Ding, Patsy Evans, Tommy Fox, Rodda Harvey, Bill Henton, Claire Herring, Marjorie House, Paul Hubbard, Harold Johnson, Mary Jayne Krebs, Joe Loduca, Margaret Mather, Joe C. Moore, Joan Morrill, Alameda Nettles, Felice Owens, Rose Paje, Janie Potter, Henry Quenzer, Donna Senter, Zay Shaeffer, Henry Shimosaki, Ivory Smith, and George Speckman.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Grace and Sister Corita, teachers, and the following pupils of the Immaculate Conception School: Jerry Asher, Elizabeth Barbieri, Diane Blanc, Betty Ann Bowman, Carol Caldeira, Sue Calder, Eugene Cecchettini, Carol Coffield, Helen Demas, Michael Duffek, Margaret Duggan, Margaret Dullanty, Florence Estacio, Robert Estacio, Frances Farrell, Judy Geach, Joseph Genshlea, Lenora Giordano, Connie Gonzalez, John Hamilton, Jerry Hansen, Richard Hardmeyer, Lorraine Henretty, Maureen Herberger, John Hohe, Mary Ann Young, Jimmy Jones, Valerie Kaiser, Jack Keating, Pern Keilhofer, Robert Kirrene, Tim Leahy, Kenneth Marques, Fidalma Mentessi, Julius Micheletti, Katherine Muheim, Terry Mulligan, Barbara Murphy, Robert Neves, Gary Peterson, Michael Pierce, Carol Proske, Jackie Pugh, Phyllis Ritthaler, Joan Rose, Marvin Scharosch, David Schiele, Byron Schnetz, James Sigl, John Sigl, Frank Spiering, Frank Stagnaro, Annette Vierria, Janet Whalen, Mary Alice Wilcox, Tom Kearneu, Maximillian Baer, Dorothy Bollinger, Gerald Borges, Gail Boucher, Patrick Butler, Paula Corsiglia, Fay Michael, Jerold Fippen, Rosemary Fisher, Melvin Fitzwater, Faustino Flores, Donna Frates, Myrna Frates, Leo Grannucci, Robert Grannucci, John Groza, Anthony Jurach, James Keating, Carol LaFranco, Virginia Lane, Louise Latino, Robert Leonard, Kathleen Meehan, Lois Monday, Mary Louise Mitchell, Joanne Morrisey, Mary Lou McMahon, Marlene Montgomery, Rosemary Ornelas, John Pintar, Joanne Porter, Robert Puccinelli, Kathryn Ransom, Rosalie Romero, Sandra Robinson, Keith Schiele, Thomas Shepard, Arlene Slakey, Thomas Stark, Beverly Sterling, Mary Van Dillon, and Sandra Wurster.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Ruth G. Freeman, teacher, G. W. Burnett, Harold S. Edwards, Gordon V. Hersey, and Mrs. J. J. Collins, adults, and the following pupils of the Marysville School: Joyce Chadwick, Richard Durfoe, Beverly Stewart, Sheila Fehr, Charles Vierrea, Joanne Polmanteer, Shirley Tiner, Gordon Hersey, Judy Looper, Carol Scott, Victor Olschowka, Shirley Welmoth, Dennis Green, Bill Burnett, Malcolm McAuley, Sam Edwards, Larry Filby, Richard Strange, Jackie Collins, Kay Hastay, Heather Creer, Nancy Lefevre, Eleanor Pezoldt, Luane Leceth, Myra Medigovich, Warren Bae, Jerry Notestine, Robert Barnes, Rae Monda Hamm, Marie Veros, Betty Maguire, and Mickey Bouska.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mark McKimmey, Miss Kouns, Mr. Larsen, and Mrs. Zumwalt, teachers, and the following pupils of the Martinez School: Annis Gerald, Carl Cook, Morris Coon, Clyde Hanke, Bob Jensen, Bobert Roybal, Gary Russell, Tim Ryan, Don Stilley, Mary Anderson, Millie Bonner, Emogene Brigden, Brenda De Berry, Marge Fryer, Joyce Jones, Jackie Brunetto, Loryn Harbough, Carol Lacy, Donna Messenger, Patty Mummah, Joan Schmidt, Betty Soares, Donald Bartsch, James Brewer, Allan DeFraga, Robert Flackus, Danny Glass, Albert Green, Charles Kemp, Richard Manley, Darwin Michle, Jimmy Moses, Wayne Robbins, Dennis Smith, Michael Stark, Roger Wood, Halline Adamson, Barbara Aitkenhead, Marles Burk, Geraldine Christain, Roberta Fidalgo, Patricia Gomez, Shirley Howington, Susan Jones, Lynda Lewis, Linda Shepherd, Naydene Willhite, Leola Wilson, Beverly Wong, Judy Viland, Beth Waters, Vilene Wearne, and Susan Stornetta.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Herbert M. Brooks of Portland, Oregon.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Marcia and Cheryl Clouse and Barbara Hays of Sacramento.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Johnson, R. E. Dahm, and the following pupils of the Natomas School: Lois Lauppe, Douglas Webb, William Williamson, Joyce Rosa, Martell Swalley, Leavitt Swalley, Patricia Hukill, Elliott James, Ellis Jones, Joe Perry, Carole Draper, Maria Perry, Nancy Lou Parks, Anna Sue Parks, Allen Berg, Albert Roderigue, Edward Casta, Linda Heston, Dennis Sasabuchi, Doris Webb, Diana Machado, Gayle Westby, Richard Gregorio, Clifford Webb, Richard Strouch, Lois Hukill, Jo Ann Azevedo, Janice Morita, Bill Costa, Ted Heston, Rodney Harwood, John Thornton, Jane Morita, Dorothy Machado, Kenny Wagner, Lois Clark, Laverne Lauppe, Dolores Riley, Marie Hukill, Victor Webb, Don Strouch, Rosemary Gregorio, and Ronald Costa.

ADJOURNMENT

At 2.35 p.m., on motion of Mr. Erwin, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, May 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY

EIGHTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 23, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty and Eternal Father, Who has made of one blood all nations and hast determined the bounds of their habitations, we beseech Thee to bless the peoples whom Thou hast created. Grant that the families of the earth may live together in the spirit of brotherhood. We pray for those who rule over us and guide our policies. May they lead us in the paths of peace and justice. Let this great Nation, which Thou hast wonderfully blest, take its place among the peoples of the earth as one that serveth.

"O, Ruler of the Universal sphere,
Help us to crush all paralyzing fear;
Give wisdom that our puny lives may know
A broadening spirit that shall build and grow
Into workable, efficient plan
Triumphant in the government of man."

We ask it in the name and for the sake of the Savior of Men, who loved us and gave Himself for us.—AMEN.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF THE ALLOCATION BOARD BE PLACED UPON MORNING ROLL CALL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the names of two members attending a meeting of the Allocation Board, at this time, be placed upon the morning roll call as follows:

Messrs. Beck and Maloney.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dills, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Morris.

Mr. Thomas, on motion of Mr. Porter.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Fleury, on motion of Mr. Coats.

Mr. Brown, on motion of Mr. Dills.

Mr. Meyers, on motion of Mr. McCarthy.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1111	Assembly Bill No. 3159
Assembly Bill No. 2885	Assembly Bill No. 3410

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 340	Assembly Bill No. 2085
Assembly Bill No 1240	Assembly Bill No. 2128
Assembly Bill No. 1243	Assembly Bill No. 2623
Assembly Bill No. 1891	Assembly Bill No. 3280

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 164
Assembly Bill No. 184
Assembly Bill No. 306
Assembly Bill No 830
Assembly Bill No 1004
Assembly Bill No. 1149
Assembly Bill No 1222
Assembly Bill No 1291
Assembly Bill No. 1566
Assembly Bill No. 1705
Assembly Bill No 2254
Assembly Bill No. 3199
Assembly Bill No. 3400

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 53
Senate Bill No. 314
Senate Bill No 321
Senate Bill No. 326
Senate Bill No 560
Senate Bill No. 647
Senate Bill No. 945
Senate Bill No 1808

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 6

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the second, third, and tenth paragraphs of Section 1 of Article IV thereof, relating to initiative petitions

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 82
Senate Bill No. 83
Senate Bill No. 85
Senate Bill No. 121
Senate Bill No. 466
Senate Bill No. 553
Senate Bill No. 1632
Senate Bill No. 1706

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 82—An act to amend Section 27367 of the Government Code, relating to recorder's fees.

Referred to Committee on Municipal and County Government.

Senate Bill No. 83—An act to amend Section 27366 of the Government Code, relating to recorder's fees.

Referred to Committee on Municipal and County Government.

Senate Bill No. 85—An act to amend Section 27371 and to repeal Section 27374 of the Government Code, relating to the fee for recording.

Referred to Committee on Municipal and County Government.

Senate Bill No. 121—An act to add Section 27361.5 to the Government Code, relating to recorder's fees.

Referred to Committee on Municipal and County Government.

Senate Bill No. 466—An act to add Sections 5438.5, 5461, 5462, 5463, 5464, 5465, 5466, and 5467, to the Public Resources Code, relating to county recreation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1632—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Boards and Commissions

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3428—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance

Bill read second time, and ordered engrossed.

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers' licenses

Bill read second time, and ordered engrossed.

Assembly Bill No. 2577—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be three judges, each of whom shall receive eleven thousand five hundred dollars ($11,500) per annum, payable in equal monthly installments.

(2) There shall be one clerk who shall receive six thousand dollars ($6,000) per annum, payable in equal monthly installments and who may appoint the following:

One chief deputy clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly;

Three deputy clerks who shall be court clerks and each of whom shall receive a minimum salary of three hundred twenty dollars ($320) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred five dollars ($405) monthly;

Two deputy clerks each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred three dollars ($303) monthly;

One deputy clerk who shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly;

Two deputy clerks each of whom shall receive a salary of one hundred ninety-six dollars ($196) monthly with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11) and ten dollars ($10) to a maximum of two hundred thirty-six dollars ($236) monthly;

(3) There shall be one marshal who shall receive a salary of six thousand dollars ($6,000) per annum, payable in equal monthly installments and who may appoint the following:

One chief deputy who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22) and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly;

Three deputy marshals who shall be court bailiffs, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of three hundred nineteen dollars ($319) monthly;

Ten deputies (custodians) at the fee allowed by law for keeping property.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

(4) Official reporters in such municipal courts described in this section, appointed as provided in Sections 274c and 274d of the Code of Civil Procedure, shall be attaches of such court and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of five hundred dollars ($500) per month, which shall be a charge against the general fund of the county.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive twenty dollars ($20) per day, which shall upon order of the court be a charge against the general fund of the said county.

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters and official reporters pro tempore as otherwise provided by law. In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury.

Official reporters of such court shall be members of any retirement system maintained by any county of the fifteenth class in which they are employed. For the purpose

of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation.

(5) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(6) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 13, of the printed bill, after the period, insert "No license shall be issued pursuant to this section to a person who is not qualified to hold a license at the time of filing his application, and the issuance of such a license shall be subject to the approval of the board and other provisions of this act."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Joint Resolution No. 36—Relative to prohibiting payment of federal public funds to certain persons.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, strike out lines 1 to 6, inclusive, and insert

"WHEREAS, There is now pending before the Congress of the United States an amendment to the State Department Appropriation Bill which would prohibit the payment of public funds appropriated by such bill to any officer or employee of the State Department who, within the past five years, has been engaged directly or indirectly to represent any foreign government; and".

Amendment No. 2

On page 1, line 8, of said measure, strike out "measure", and insert "an amendment".

Amendment No. 3

On page 1, line 12, of said measure, strike out "enact such measure", and insert "adopt such amendment".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 1689—An act to add Chapter 2, consisting of Sections 6100 to 6106 to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 10, 1951, after line 47, insert "Expenditures under this chapter shall be audited by the State Controller."

Amendment No. 2

On page 4, line 8, of said bill, after "chapter", insert ", and 1 percent, or so much thereof as may be necessary, is hereby made available for expenses of the Controller in carrying out the duties imposed by this act".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 26, of the printed bill as amended in the Assembly on May 21, 1951, after the period, insert "No construction on the improvement shall be commenced until sufficient funds are available to complete the improvement."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 516—An act to amend Section 5050.5 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "loss or"; and strike out all of lines 9 to 12, inclusive, and insert "insurance of the kinds included in Sections 107 and 120."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 519—An act to amend Section 1198 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on May 16, 1951, after "liabilities", insert "and required reserves".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 5, lines 19 and 20, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "herein provided", and insert "*provided in this article*".

Amendment No. 2

On page 6, line 14, of said bill, as amended, strike out "herein provided", and insert "*provided in Section 11012*".

Amendment No. 3

On page 6, line 51, of said bill, as amended, strike out "Section 11010", and insert "*this article*".

Amendment No. 4

On page 10, line 19, of said bill, as amended, strike out the period, and insert a semi-colon.

Amendment No. 5

On page 10 of said bill, as amended, strike out lines 20 to 23, inclusive, and insert

"*(b) Issue any certificate, policy or other document promising such payments;*

(c) Provide in its constitution, by-laws or any other document that such payments may be received by any member of such society as a matter of right; nor

(d) Advertise such payments as insurance or as payments to which the member has any right."

Amendment No. 6

On page 10, line 25, of said bill, as amended, strike out "for insurance purposes", and insert "*in excess of the amount of the liabilities of such special fund*".

Amendment No. 7

On page 11, line 4, of said bill, as amended, after "101", insert "*except group insurance and funeral insurance as defined in Section 10240*".

Amendment No. 8

On page 11, line 7, of said bill, as amended, after "member", insert "*and all forms of group insurance*".

Amendment No. 9

On page 11 of said bill, as amended, strike out lines 10 to 12, inclusive.

Amendment No. 10

On page 14, line 14, of said bill, as amended, strike out "claim is filed", and insert "*loss occurs*".

Amendment No. 11

On page 18, line 19, of said bill, as amended, strike out "license", and insert "*certificate of authority*".

Amendment No. 12

On page 19, line 29, of said bill, as amended, strike out "the manner in which such acts have occurred", and insert "*wherein such conditions exist*".

Amendment No. 13

On page 20, lines 46 and 47, of said bill, as amended, strike out "the manner in which such acts have occurred", and insert "*wherein such conditions exist*".

Amendment No. 14

On page 22, line 7, of said bill, as amended, after "1945," insert "*and who is licensed to represent a fraternal benefit society on the effective date of this chapter and continuously thereafter,*".

Amendment No. 15

On page 23, line 13, of said bill, as amended, strike out "licensed", and insert "*receive a certificate of authority*".

Amendment No. 16

On page 24, line 11, of said bill, as amended, strike out "society", and insert "*mutual life insurance company*".

Amendment No. 17

On page 24 of said bill, as amended, between lines 13 and 14, insert

"*11110. In addition to any other ground for disapproving such conversion, the commissioner may refuse to give such approval unless evidence satisfactory to him is submitted that:*

(a) The reserves on all certificates theretofore issued are sufficient to carry them to maturity either by reason of the amount thereof or by reason of action by such society pursuant to either subsection (c) hereof or Section 11111;

(b) The plan of conversion will result in the availability of all funds and assets of the mutual life insurance company to the carrying out of the contracts of insurance whether transacted before or after conversion; and

(c) The society has lawfully amended all outstanding certificates on which the member's contribution was inadequate to carry such certificate to maturity without assessment. Such amendment shall accomplish that purpose by either increasing the amount of contribution or premium, by whatever name known, sufficiently or, at the option of the certificate holder, reducing the amount of his benefits sufficiently

11111. Any society may comply with subsection (a) of Section 11110 by deducting from its surplus an amount which, when added to the reserves on certificates theretofore issued, shall be sufficient to carry such certificates to maturity and establish and maintain after its conversion into a mutual life insurance company a special reserve in such an amount. The basis of such special reserve shall not be altered without the prior written consent of the commissioner. The commissioner shall give such consent only when he finds that such alteration will not impair nor imperil the purpose for which such special reserve is established. Any impairment of such reserve shall, to the extent thereof, be deemed a deficiency of required reserves and shall render the mutual life insurance company involvent. No part of such special reserve shall be deemed to be a part of the capital paid in or of the surplus of the mutual life insurance company."

Amendment No. 18

On page 24, line 14, of said bill, as amended, strike out "11110", and insert "*11112*"

Amendment No. 19

On page 24, line 34, of said bill, as amended, before "11120", insert "*Section*".

Amendment No. 20

On page 26, lines 24 and 25, of said bill, as amended, strike out "herein required", and insert "*required by Section 11131*".

Amendment No. 21

On page 28, line 39, of said bill, as amended, strike out "herein".

Amendment No. 22

On page 31, line 19, of said bill, as amended, strike out "(c)", and insert "*(a)*".

Amendment No. 23

On page 31, line 20, of said bill, as amended, strike out "(d)", and insert "*(b)*".

Amendment No. 24

On page 31, line 22, of said bill, as amended, strike out "(e)", and insert "*(c)*".

Amendment No. 25

On page 32 of said bill, as amended, after line 23, insert

"*SEC. 3.* If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstance involved."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "one hundred percent (100%)", and insert "fifty percent (50%)".

Amendment No. 2

On page 1 of said bill, between lines 10 and 11, insert a new paragraph to read "*An employer shall not be held liable for the additional compensation provided by this section if such an employee is hired pursuant to a birth certificate, automobile driver's license, or other reasonable evidence of the fact the employee is over the age of 15 years, even though such evidence of age were falsely obtained by the employee. The additional compensation provided by this section shall not exceed the maximum sum specified by Section 4553 for additional compensation payable for serious and willful misconduct on the part of an employer.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "twenty-five dollars ($25) per diem", and insert "fifteen dollars ($15) as compensation".

Amendment No. 2

On page 2, line 23, of said bill, after the period, insert "In addition, each member shall be reimbursed for his necessary travel and other expenses incurred in the performance of his official duties."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2464—An act to add Sections 604.14, 604.15, 604.16, and 604.17 to the Vehicle Code, relating to operation of ambulances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 23, 1951, strike out "add Sections 604.14, 604.15, 604.16, and 604.17 to", and insert "amend Section 672 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "operation of ambulances", and insert "escort of vehicles by police and traffic officers".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 672 of the Vehicle Code is amended to read.

672. Sirens and Illegal Speed of Escorts. Every police and traffic officer is hereby expressly prohibited from using a siren or driving at an illegal speed when serving as an escort of any vehicle or vehicles on a highway, *except when escort is furnished for the preservation of life or when expediting movements of Armed Forces during a national emergency*."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 28, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1189—An act to amend Section 13 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to amend Section 159 of the Code of Civil Procedure,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 16, insert

"SEC. 2. Section 159 of the Code of Civil Procedure is amended to read:

159. Every justice of the peace shall reside in the city, or judicial township, in which his court is held, and no person shall be eligible to the office of justice of the peace unless he [shall have been] *is* a citizen of the United States and a resident of the county and township in which he is to serve [for one year next preceding his election or appointment]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1463—An act providing for the constitution of the municipal court in a district embracing the Town of Lakewood Village, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"*An act to add Section 125 to the Municipal Court Act of 1925, relating to* compensation of municipal court judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 12.5 is added to the Municipal Court Act of 1925, to read:

SEC. 12.5. Notwithstanding any other provision of this act, each judge of a municipal court in Los Angeles County shall receive a salary of fifteen thousand dollars ($15,000) per annum, payable in equal monthly installments.

SEC. 2. Each judge of a municipal court established in a judicial district in Los Angeles County shall receive a salary of fifteen thousand dollars ($15,000) per annum, payable in equal monthly installments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 4, of the printed bill, after the period, insert "Such charges shall be for an hourly period and for half-hour or greater periods after the first hour."

Amendment No. 2

On page 1, line 6, of said bill, strike out "15", and insert "6".

Amendment No. 3

On page 1, line 7, of said bill, after the period, insert "The half-hour fee shall be charged for use of such facilities for period more than 6 minutes and less than 30 minutes in excess of the period for which a particular fee is charged."

Amendment No. 4

On page 1 of said bill, after line 10, insert

"(d) Fails to post the closing hour of his parking facilities.

SEC. 2. Section 1 of this act shall apply only to the County of Los Angeles.

SEC. 3. If any provision of this act is for any reason held to be invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2339—An act to add Section 308b to the Penal Code, relating to cigarette vending machines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 308 of,".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "cigarette vending machines", and insert "the sale of tobacco and tobacco products".

Amendment No. 3

On page 1, lines 6 and 7, of said bill, strike out "and so situated therein that it is not accessible to the public".

Amendment No. 4

On page 1, line 12, of said bill, after "establishment", insert ", and of the person who owns or furnishes such vending machine,".

Amendment No. 5

On page 1 of said bill, strike out lines 15 to 18, inclusive; and in line 19, strike out "is located."

Amendment No. 6

On page 1, line 20, of said bill, after "establishment", insert ", and of the person who owns or furnishes such vending machine,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 1 of said bill, after line 24, insert

"SEC. 2 Section 308 of said code is amended to read:

308. Every person, firm or corporation which *directly or indirectly* sells or gives or in any way furnishes *by vending machine or otherwise* to another person who is in fact under the age of 18 years any tobacco, cigarette or cigarette papers or any other preparation of tobacco is guilty of a misdemeanor [, and upon conviction thereof shall be punished for the first offense by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than sixty days; and for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not more than ninety days; and for each subsequent offense by a fine of not less than one hundred dollars and not more than three hundred dollars, or by imprisonment for not less than ninety days nor more than six months, or by both such fine and imprisonment] .

Every person, firm or corporation which sells, or deals in tobacco or any preparation therof, shall, within 90 days after this [act] *section* becomes effective, post conspicuously and keep so posted in his or their place of business a copy of this [act] *section* [,] . *Any machine used for the vending of tobacco or tobacco products on or after January 1, 1952, shall have conspicuously imprinted on the front thereof in letters at least one-quarter inch in heighth a copy of this section.* [and any such person failing to do so shall upon conviction be punished by a fine of five dollars for the first offense and twenty-five dollars for each succeeding violation of this provision, or by imprisonment for not more than thirty days] *Any person, firm or corporation failing to comply with any of the provisions of this section is guilty of a misdemeanor.*

The Secretary of State is hereby authorized to have printed sufficient copies of this [act] *section in letters at least one-quarter inch in height* to enable him to furnish dealers in tobacco, *whether their sales are made over the counter or by vending machine,* with copies thereof upon their request for the same."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2329—An act to amend Section 61.2 of, and to add Section 61 3, 61 4, 61.5, and 61 6 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof, upon demand, that persons to whom such beverages are served or sold are over the age of 21 years.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In the title of the printed bill, strike out lines 4 and 5, and insert issuance of identification cards to such persons over the age of 21 as may apply therefor, and imposing penalties in connection therewith."

Amendment No. 2

On page 2, line 7, of said bill, strike out "and who is a resident of this State".

Amendment No. 3

On page 2, line 9, of said bill, strike out ", sheriff, chief of"; and strike out line 10, and insert "and".

Amendment No. 4

On page 2, line 18, of said bill, strike out "city and county,"; strike out line 19; and in line 20, strike out "of Equalization Office", and insert "or city and county".

Amendment No. 5

On page 2, lines 20 and 21, of said bill, strike out "resident of this State", and insert "person".

Amendment No. 6

On page 2 of said bill, after line 51, insert

"(c) Any person who knowingly issues an identification card to any person who is under the age of 21 years is guilty of a misdemeanor.

(d) Every person who steals or, without authority to do so, alters, forges, or counterfeits any registration or identification card provided for in Sections 61.3 and 61.4 shall be punishable by imprisonment in the state prison for not less than six months nor more than five years or in a county jail not exceeding six months, or by fine not exceeding five hundred dollars ($500), or by both such fine and imprisonment."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 501—An act to add Section 7.6 to the California Unemployment Insurance Act, relating to unemployment insurance, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the title of the printed bill, strike out "7.6", and insert "7.7".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "7.6", and insert "7.7".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "1950", and insert "*1952*".

Amendment No. 4

On page 2, line 38, of the printed bill, strike out "division".

Amendment No. 5

On page 2, line 39, of the printed bill, strike out "bureau,".

Amendment No. 6

On page 2, line 39, of the printed bill, strike out ", or in a particular branch".

Amendment No. 7

On page 2, line 40, of the printed bill, strike out "office or other organization unit thereof".

Amendment No. 8

On page 2 of the printed bill, following line 48, insert

"*(f) An individual otherwise eligible under this section cannot establish a valid claim or benefit year based upon wages paid by the State of California unless he has had at least one year of full time continuous employment with the State.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 676—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out "who prior to the determination has submitted any."

Amendment No. 2

On page 1 of the printed bill, strike out line 25.

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "this act or authorized regulations."

Amendment No. 4

On page 2, line 26, of the printed bill, strike out "submitting the facts."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1957—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 14, 1951, strike out "amend Section 10202 of", and insert "add Section 10180 to".

Amendment No. 2

In line 2 of the title of said bill, after "life", insert "and disability".

Amendment No. 3

On page 1, line 1, of said bill, strike out "10202 of the Insurance Code is"; strike out lines 2 to 26, inclusive, and lines 1 to 13, inclusive, on page 2, and insert "10180 is added to the Insurance Code, to read:

10180. Any policy or contract of group life insurance or group disability insurance may provide for readjustment of the rate of premium based upon the experience thereunder at the end of the first year or of any subsequent year of insurance and such readjustment may be made retroactive only for such policy year. A dividend shall not be construed as a readjustment of rate of premium. Any policy dividends hereafter declared, or reduction in rate of premiums hereafter made or continued for the first or any subsequent year of insurance, under any such group policy heretofore or hereafter issued, may be applied as follows:

(a) In the absence of any representation or agreement by the master policyholder to share a definite proportion of the cost of such group insurance, such dividends or reduction may be applied to reduce the master policyholder's part of the cost of such insurance, except that if the aggregate dividends or refunds or credits under such group policy and any other group policy or contract issued to the master policyholder exceed the aggregate contributions of the master policyholder towards the cost of the coverages, such excess shall be applied by him for the sole benefit of the group of persons insured thereunder.

(b) If the master policyholder by representation or agreement has undertaken to bear a certain proportion of the cost of such group insurance, the master policyholder may recover from such dividends or reduction only such portion thereof as his share of the original contribution bore to the total contribution and the remainder shall be applied by him for the sole benefit of the group of persons insured thereunder."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1071—An act to add Sections 2⅞, 13⅛, and 50⅛ to the Public Utilities Act, relating to public utilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 2⅞, 13⅛, and 50⅛ to", and insert "amend Section 50¼ of, and to add Section 52.1 to,"

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code,".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 50¼ of the Public Utilities Act is amended to read:

Sec. 50¼. (a) No highway common carrier, or petroleum irregular route carrier, shall hereafter operate or cause to be operated any auto truck, or other self-propelled vehicle not operated on rails, for the transportation of property as a common carrier for compensation on any public highway in this State except in accordance with the provisions of this act.

(b) The Railroad Commission of the State of California is hereby vested with power and authority to supervise and regulate every highway common carrier and petroleum irregular route carrier in this State; to fix the rates, fares, charges, classifications, rules and regulations of each such highway common carrier and petroleum irregular route carrier; to regulate the accounts, service and safety of operations of each such highway common carrier and petroleum irregular route carrier, to require the filing of annual and other reports and of other data by such highway common carriers and petroleum irregular route carriers; and to supervise and regulate highway common carriers and petroleum irregular route carriers in all other matters affecting the relationship between such carriers and the shipping public. The Railroad Commission shall have power and authority, by general order or otherwise, to prescribe rules and regulations applicable to any and all highway common carriers and petroleum irregular route carriers. The Railroad Commission, in the exercise of the jurisdiction conferred upon it by the Constitution of this State and by this act, shall have power and authority to make orders and to prescribe rules and regulations affecting highway common carriers and petroleum irregular route carriers, notwithstanding the provisions of any ordinance or permit of any incorporated city or town, city and county, or county, and in case of conflict between any such order, rule or regulations and any such ordinance or permit, the order, rule or regulation of the Railroad Commission shall in each instance prevail.

(c) No highway common carrier, or petroleum irregular route carrier, shall hereafter begin to operate any auto truck, or other self-propelled vehicle, for the transportation of property for compensation on any public highway in this State without first having obtained from the Railroad Commission a certificate declaring that public convenience and necessity require such operation, but no such certificate shall be required of any highway common carrier as to the fixed termini between which or the route over which it was actually operating as a highway common carrier on July 26, 1917, and in good faith continuously thereafter, or for operations exclusively within the limits of an incorporated city, town or city and county, or for the performance of pickup, delivery, or transfer services by such carrier within such carrier's lawfully published pickup and delivery zones insofar as such pickup and delivery limits do not include territory in excess of three miles from the corporate limits of any incorporated city or town or three miles from the post office of any unincorporated point. Any right, privilege, franchise, or permit held, owned or obtained by any highway common carrier, or petroleum irregular route carrier, may be sold, assigned, leased, transfered or inherited as other property, only upon authorization by the Railroad Commission. The Railroad Commission shall have power, with or without hearing, to issue said certificate as prayed for, or to refuse to issue the same, or to issue it for the partial exercise only of said privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity require. Without the express approval of the commission, no certificate of public convenience and necessity issued to one highway common carrier, or petroleum irregular route carrier, under the provisions of this section, or heretofore issued by the commission to one highway common carrier, or petroleum irregular route carrier, for the transportation of property by auto truck or self-propelled vehicle, nor any operative right of one highway common carrier, or petroleum irregular route carrier, founded upon operations actually conducted in good

tarith on July 26, 1917, shall be combined, united or consolidated with another such certificate or operative right issued to or possessed by another highway common carrier, or petroleum irregular route carrier, so as to permit through service between any point or points served by one highway common carrier, or petroleum irregular route carrier, on the one hand, and any point or points served, by another highway common carrier, or petroleum irregular route carrier, on the other hand; nor, without the express approval of the commission, shall any through route or joint, through, combination, or proportional rate, be established by one highway common carrier, or petroleum irregular route carrier, between any point or points which it serves, on the one hand, and any point or points served by another highway common carrier, or petroleum irregular route carrier, on the other hand *Unless prohibited by the terms and conditions of any certificate that may be involved*, any one highway common carrier, or petroleum irregular route carrier, may establish through routes and joint rates, charges, and classifications between any and all points served by such highway common carrier, or petroleum irregular route carrier, under any and all certificates or operative rights issued to or possessed by such highway common carrier, or petroleum irregular route carrier

No petroleum irregular route carrier shall engage in any operation on any public highway in this State unless there is in force, with respect to such carrier, a certificate of public convenience and necessity issued by the Railroad Commission, authorizing such operations; provided, however, if any such petroleum irregular route carrier was, on September 1, 1949, and thereafter, operating, under a permit issued by the Railroad Commission, as a radial highway common carrier (as the term "radial highway common carrier" is defined in Chapter 223, Statutes of 1935 as amended), and shall file with the Railroad Commission, within one hundred eighty (180) days after this section shall take effect, an application as provided herein, the Railroad Commission shall issue such certificate without further proceedings, and such certificate shall authorize such carrier to engage in such operations as such carrier was authorized to conduct on September 1, 1949, pending the issuance of such certificate Pursuant to filing of such application, the continuance of such operation shall be lawful Any person or corporation not included within the foregoing provisions of this paragraph who, or which, when this section takes effect, is lawfully engaged in transportation as a petroleum irregular route carrier, may continue such operation for a period of one hundred eighty (180) days thereafter without a certificate; and if application for such certificate hereunder is made to the Railroad Commission within such period, the carrier may, under such regulations as the Railroad Commission shall prescribe, continue such operation until otherwise ordered by the Railroad Commission. Application for certificates shall be made in writing to the Railroad Commission, be verified under oath, and shall be in such form and contain such information and be accompanied by proof of service upon such interested parties as the Railroad Commission shall require.

The Railroad Commission may at any time for a good cause suspend, and upon notice to the holder of an operating right acquired by virtue of operations conducted on July 26, 1917, as aforesaid, or to the grantee of any certificate, and opportunity to be heard, revoke, alter or amend any such operative right or certificate.

(d) When a complaint has been filed with the commission alleging that any vehicle is being operated without a certificate of public convenience and necessity, as required by this act, or when the commission has reason to believe that this act is being violated, it shall be the duty of the commission to investigate such operations and the commission shall have power, after a hearing, to make its order requiring the owner or operator of such vehicle to cease and desist from any operation in violation of this act; and it shall be the duty of the commission to enforce compliance with such order under the powers vested in the commission by this act or by law

(e) It is hereby declared to be the legislative intent that the provisions of this section relating to the transportation of petroleum or of petroleum products in any tank-truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation and that the provisions of this section have been enacted for the limited purpose of providing necessary regulation for said specialized type of truck transportation only, and are not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted

SEC. 2 Section 52 1 is added to said act to read

Sec. 52.1 Nothing contained in Section 52 shall be construed to require a highway common carrier or a petroleum irregular route carrier to secure from the commission authority to execute any conditional sales contract for the purchase of motor vehicle equipment or any chattel mortgage on motor vehicle equipment securing the payment of all or any part of the purchase price of such motor vehicle equipment.

SEC 3. Section 816 5 is added to the Public Utilities Code, to read:

816 5 Nothing contained in this article shall be construed to require a highway common carrier or a petroleum irregular route carrier to secure from the commission authority to execute any conditional sales contract for the purchase of motor vehicle equipment or any chattel mortgage on motor vehicle equipment securing the payment of all or any part of the purchase price of such motor vehicle equipment.

SEC. 4. Section 1066 of said code is amended to read:

1066. Without the express approval of the commission no through route or joint, through, combination, or proportional rate shall be established by one highway common carrier, or petroleum irregular route carrier, between any point or points which it serves, on the one hand, and any point or points served by another such carrier, on the other hand. *Unless prohibited by the terms and conditions of any certificate that may be involved*, any one highway common carrier, or petroleum irregular route carrier, may establish through routes and joint rates, charges, and classifications between any and all points served by it under any and all certificates or operative rights issued to or possessed by it.

SEC. 5. Sections 3 and 4 of this act become operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 1 and 2 of this act are repealed."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

SECOND READING OF SENATE BILLS

Senate Bill No. 302—An act to add Section 417 to the Code of Civil Procedure, relating to civil actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 987—An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Public Utilities Commission, local utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1626—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read second time, and ordered to third reading.

Senate Bill No. 396—An act to amend Section 6027 of the Government Code, relating to newspapers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 11, 1951, strike out lines 7 to 9, inclusive, and insert

"6027. On and after July 1, 1952, a newspaper shall not be in fact or in law a newspaper of general circulation unless it obtains or has theretofore obtained a judicial decree establishing it as having such status pursuant to the provisions of this article."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on May 8, 1951, strike out line 1, and insert

"WHEREAS, The decisions of the Supreme Court of the United States and of certain state courts have caused uncertainty in the minds of lawyers and of the public generally concerning the effect of treaties and executive agreements on our Federal and State Constitutions and laws; and

WHEREAS, Such uncertainty should immediately be clarified; now, therefore, be it".

Amendment No. 2

On page 1 of said measure, strike out lines 2 to 15, inclusive.

Amendment No. 3

On page 1 of said measure, strike out lines 22 to 25, inclusive, and insert

"1. The representative form of Federal Government, consisting of the Congress, the Executive, and the Judiciary, the sovereignty of the governments of the several states, the express limitations on the powers of Congress, the guarantees of individual liberties, and the independence of the federal judiciary, contained and guaranteed in and by this Constitution and in particular the first 10 amendments thereto, shall not be abolished nor altered by any treaty or executive agreement."

Amendment No. 4

On page 2 of said measure, strike out lines 1 to 6, inclusive.

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of the Insurance Code, relating to the regulation of workmen's compensation insurance, rating and other organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 26, 1951, after "of", insert ", and to add Section 11732.1 to,".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "workmen's compensation insurance, RATING AND OTHER ORGANIZATIONS", and insert "rating and other organizations for workmen's compensation insurance and employers' liability insurance incidental thereto and written in connection therewith".

Amendment No. 3

On page 1, line 9, of said bill, after "by", insert "requiring and regulating".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "workmen's compensation insurance rates", and insert "rates for workmen's compensation insurance and for employers liability insurance incidental thereto and written in connection therewith".

Amendment No. 5

On page 1, line 14, of said bill, after "authorize", insert "and regulate".

Amendment No. 6

On page 1, line 16, of said bill, after "authorize", insert "and regulate".

Amendment No. 7

On page 1, line 24, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 8

On page 2, line 4, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 9

On page 2, line 6, of said bill, after "compensation insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 10

On page 2, line 15, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 11

On page 2, line 18, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 12

On page 2, line 24, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 13

On page 2, line 30, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 14

On page 2, line 48, of said bill, strike out "collection", and insert "charging"

Amendment No. 15

On page 5, line 1, of said bill, after "commissioner", insert ", after notice and hearing,".

Amendment No. 16

On page 7, line 25, of said bill, after "organization", insert "or insurer"

Amendment No. 17

On page 7, line 32, of said bill, after "organization", insert "or insurer".

Amendment No. 18

On page 8, line 10, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith"

Amendment No. 19

On page 8, line 36, of said bill, strike out "article", and insert "act".

Amendment No. 20

On page 8, line 39, of said bill, strike out "such sections", and insert "this act,"

Amendment No. 21

On page 9 of said bill, strike out lines 10 and 11, and insert

"SEC. 4. Nothing in Article 3, Chapter 3, Part 3, Division 2 of the Insurance Code amends, modifies, repeals, or in any measure affects the interpretation or construction of Article 2, Chapter 3, Part 3, Division 2 of that code, or of any provision of that article. Except as provided in the preceding sentence, all laws or parts of laws inconsistent with the provisions of said Article 3, Chapter 3, Part 3 of Division 2 are hereby repealed."

Amendment No. 22

On page 9 of said bill, after line 18, insert

"SEC. 6. Section 11732.1 is added to the Insurance Code, to read:

11732.1. The commissioner may pursuant to all grants of authority contained in this article with respect to workmen's compensation insurance and subject to all limitations therein approve or issue as adequate for all admitted workmen's compensation insurers a classification of risks and premium rates relating to employer's liability insurance incidental to and written in connection with workmen's compensation insurance. Such classification and rates may be included in those for workmen's compensation insurance or separate therefrom, and if issued or approved shall be for liability with such limits as are reasonably necessary to meet the needs of insurers and insureds and may also be for unlimited liability. Such classification and rates if issued or approved shall be used by insurers to the same extent as are classifications and rates issued or approved for workmen's compensation insurance."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 372—An act to amend Section 2001 of the Government Code, relating to public officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "suit for damages", and insert "any action or proceeding, including a taxpayer's suit,".

Amendment No. 2

On page 1, line 4, of said bill, after "officer", insert "in his official or individual capacity, or both,".

Amendment No. 3

On page 1, line 9, of said bill, strike out "when done under and according to the"; and strike out all of line 10, and insert "in good faith and without malice, or".

Amendment No. 4

On page 1, line 11, of said bill, strike out "suit for damages", and insert "any action or proceeding".

Amendment No. 5

On page 1, line 12, of said bill, after "officer," insert "in his official or individual capacity, or both,".

Amendment No. 6

On page 1, line 20, of said bill, strike out "the State, district," and strike out lines 21, 22, 23, and 24, and insert "it is the duty of the attorney for the State, district, county, municipality, or other public or quasi-public corporation, as the case may be, to act as counsel in defense of such suit, unless provision has been made for the".

Amendment No. 7

On page 1, line 26, of said bill, strike out "The fees and expenses", and insert "In such event the fees, cost and expenses".

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO REQUEST THE SENATE TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 1879

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to rescind the action whereby the Senate, on Friday, May 18th, adopted amendments to Assembly Bill No. 1879; and that said bill be returned to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1521—An act to amend Sections 1648.5, 1672, and 1711.2 of the Insurance Code, relating to the issuance of licenses to act as insurance brokers or agents or life agents to nonresidents.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1521?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 25, 1951, after "maintain", insert "an".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1521 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McFall, McGee, McMillan, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 1521 ordered enrolled.

Assembly Bill No. 1523—An act to amend Sections 202, 12003 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1523?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on April 18, 1951, strike out "association", and insert "associations".

Amendment No. 2

On page 1, line 19, of said bill, as amended, after "section", insert a comma.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1523 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Conrad, Cooke, Davis, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Mr. Speaker—49.
NOES—None.

Assembly Bill No. 1523 ordered enrolled.

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3376?

Amendment No. 1

On page 3, line 37, of the printed bill, as amended in the Assembly on May 10, 1951, after "employer", strike out "for".

Amendment No. 2

On page 3, line 38 of said bill, as amended, strike out "his regular", and insert "one-seventh ($1\frac{1}{7}$) of such".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3376 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Connolly, Conrad, Davis, Dills, Doyle, Elliott Erwin Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McFall, McGee McMillan, Morris, Moss Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—52
NOES—None.

Assembly Bill No. 3376 ordered enrolled.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 988, on request of Mr. Geddes.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 206
Assembly Bill No. 1967

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 3074

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 751

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 293	Senate Bill No. 297
Senate Bill No. 294	Senate Bill No. 298

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 1954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1111—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Evans, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Waters, and Mr. Speaker—51

NOES—Erwin, Gaffney, Sherwin, and Smith—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 2885—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—60

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2078

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2078, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2078—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2078?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "amend Section 209 of", and insert "add Section 210 to".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 210 is added to the Unemployment Insurance Act, to read:".

Amendment No. 3

On page 1, line 14, of said bill, as amended, strike out "As used in this section", and insert

"Sec. 210. As used in Section 209".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2078 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln,

Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Nicholson, Parker, Porter, Rumford, Shaw, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

Assembly Bill No 2078 ordered enrolled.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3410, on motion of Mr. Geddes.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER Your Committee on Agriculture, to which were referred:

Assembly Bill No. 293

Assembly Bill No. 3435

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2880—An act to amend Sections 7, 19, 23b, 24.2, 24 26, 24 27, 27b, 27c, 38 2, 39, 55.7, 59 and 59.5 of and to add Sections 53.4 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read third time.

Point of Order

Mr. Kirkwood arose to the following point of order: That all board bills were to have been introduced by January 19th, and that, if said bill falls under this rule, Mr. Doyle is not in order in taking it up, at this time.

Pending a ruling from the Legislative Counsel, Assembly Bill No. 2880 was ordered temporarily passed on file.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Sergeant-at-Arms is distributing invitations for Senator Hoffman, who will be host for a party at Bethel Island, which will include a stag party and barbecue, a fishing trip, and a boat trip, on Sunday, June 3d, and urged all members to respond as soon as possible to this invitation.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710 1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 977

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 977, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 977—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 977?

Amendment No. 1

On page 1, line 4, of the printed bill, after "found", insert "through evidence presented at an open hearing".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 977 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lipscomb, Luckel, McCarthy, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—52.
NOES—None.

Assembly Bill No. 977 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT ON CONFLICTS IN BUILDING REGULATIONS BE PRINTED IN JOURNAL

Mr. Stewart asked for, and was granted, unanimous consent that a Report on Conflicts in Building Regulations by the Assembly Interim Committee on Governmental Efficiency and Economy be ordered printed in the Journal, in 10 point type.

(Above mentioned report will appear prior to the motion to adjourn.)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 60: By Mr. Lyon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof a new section to be numbered 16.5, relating to taxation.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Chapel, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Hagen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Waters—42.

NOES—Babbage, Burke, Cloyed, Grunsky, Hansen, Henderson, Hinckley, Kirkwood, Lincoln, Moss, Stewart, and Tomlinson—12.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2946, on motion of Mrs. Niehouse.

Assembly Bill No. 91, on motion of Mr. McCollister.

POINT OF ORDER RELATIVE TO ASSEMBLY BILL NO. 2880 WITHDRAWN

Mr. Kirkwood withdrew his point of order relative to Assembly Bill No. 2880.

Request for Unanimous Consent to Take Up Further Consideration of Assembly Bill No. 2880

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2880, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2880

Assembly Bill No. 2880—An act to amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38.2, 39, 55.7, 59 and 59.5 of and to add Sections 53.4 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 521—An act to amend Section 10292 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1586

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1587

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3166

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3433

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred

Senate Bill No. 1576

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Ways and Means Committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER. Your Committee on Social Welfare, to which was referred

Senate Bill No. 228

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Messrs. Moss, Cooke, Sam L. Collins, and Dickey:

House Resolution No. 152

Relative to expressing confidence in the statesmanship of Vernon Kilpatrick

WHEREAS, Our colleague Vernon Kilpatrick is now a candidate for election to the City Council of the City of Los Angeles, having received the highest vote among five contestants for nomination to such office; and

WHEREAS, In the course of his campaign for such office he has been subjected to vicious, unwarranted attacks on his loyalty and devotion to our American principles of democracy; and

WHEREAS, The Members of this Assembly who shared the highest responsibility of public service in this State with Vernon Kilpatrick for many years are aware of his service and devotion to the highest principles of democratic statesmanship; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby conveys to Vernon Kilpatrick its expression of confidence that his sterling qualities of statesmanship will prevail over any and all base attacks thereon, and that his ultimate victory in the face of such vicious tactics will be the more honored; and be it further

Resolved, That the Chief Clerk is directed to prepare and transmit a copy of this resolution to Vernon Kilpatrick.

Request for Unanimous Consent

Mr. Moss asked for, and was granted, unanimous consent to take up House Resolution No. 152, at this time, without reference to committee or file.

Motion That House Resolution No. 152 Be Referred to Committee on Rules

Mr. Silliman moved that House Resolution No. 152 be referred to the Committee on Rules.

Mr. Kirkwood seconded the motion.

Motion Withdrawn

Mr. Kirkwood withdrew his second.

Mr. Silliman withdrew his motion.

House Resolution No. 152 ordered referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L Collins announced that he has received a communication from Earl W. Chapman, Executive Officer of the Board of Administration, State Employees' Retirement System, Sacramento, and read one paragraph from the letter as follows:

"In that connection may I suggest that the Law be amended to provide that the member has the right of election until ninety days after the receipt of notice from this office concerning his right. That provision is in the State Employees' Retirement Law and prevents the unfortunate situation which arises when ninety days have elapsed and no notice has come. I think it would improve the situation if an amendment such as I have suggested were placed in the Legislators' Law."

Speaker Sam L. Collins further announced that if any member has a remaining spot for the introductoin of a bill, and is interested in full information, to come to his office, and read said letter in full.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 884—An act to add Section 1730 6 to, the Insurance Code, relating to receipt and holding of fiduciary funds by managing general agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 885—An act to amend Sections 922.1, 922.2, and 1591, to amend Section 922 5 and renumber it Section 922.8 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, and 922.7 to, the Insurance Code, relating to financial statements of insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 850 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Cloyed asked for, and was granted, unanimous consent that Senate Bill No. 850 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1715—An act to add Section 58.1 to the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "conflict with and causes", and insert "cause".

Amendment No. 2

On page 1, line 9, of said bill, after "for", insert "unemployment insurance".

Amendment No. 3

On page 1, line 12, of said bill, strike out "such reason.", and insert "such reason; provided that, the foregoing provision of this section shall not apply after a change in conditions whereby she has become the main support of herself or her immediate family."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Constitutional Amendment No. 59 Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No 59 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1883, on motion of Mr. McMillan.

Assembly Bill No. 2327—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from property taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO RECALL SENATE BILL NO. 1055 FROM THE SENATE

Messrs. Dunn and Coats asked for, and were granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No 1055 to the Assembly for further consideration.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2936 HOLD PLACE ON FILE

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2936 be passed on file, and hold its place on file on the next legislative day.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3254, on request of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 32

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 32, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 32

Senate Joint Resolution No. 32—Relative to the supply of sulphuric acid for fertilizers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1450—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 64—Relative to the Report of the Annual Convention of the Disabled American Veterans of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—56.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 22, 1951, strike out "409", and insert "411".

Amendment No. 2

On page 1, line 1, of said bill, strike out "409", and insert "411".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 7, inclusive, and insert

"411. The annual salary of the county superintendent of schools of a county of the eleventh class is [eight thousand two hundred dollars ($8,200)] *ten thousand dollars ($10,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2433, on request of Mr. Hawkins.

Assembly Bill No. 2601, on request of Mr. Cooke.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 249
Assembly Bill No. 2081
Assembly Bill No. 2577
Assembly Bill No. 3428

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2009

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3094

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

McMILLAN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 211

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 211, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 211

Senate Bill No. 211—An act to amend Section 126 of, and to add Section 127 to, the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof maintained by the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Henderson:

House Resolution No. 153

Relating to the celebration of the One Thousand Five Hundredth Anniversary of the Battle of Avarair

WHEREAS, May 26, 1951 is the One Thousand Five Hundredth Anniversary of the Battle of Avarair, in which the great Armenian general Vartan Mamikonian was stricken down in combat while leading his fellow Christians against the Persians in this great battle for religious freedom; and

WHEREAS, Said Battle of Avarair and the martyrdom of Vartan Mamikonian were the constant inspiration to the Armenian people to continue their fight for religious freedom and Christianity, which endeavor finally achieved success in 484 A.D.; and

WHEREAS, This One Thousand Five Hundredth Anniversary of the Battle of Avarair will be celebrated by Americans of Armenian descent in commemoration of this great triumph for religious freedom and Christianity; now, therefore, be it

Resolved by the Assembly of the State of California, That on this significant celebration of the anniversary of the Battle of Avarair that all Americans of Armenian descent are hereby congratulated and commended for their observance of this great event; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for transmittal to the proper persons engaged in forwarding the observance of this historic event.

Resolution read, and ordered referred to the Committee on Rules.

MEMBERS EXCUSED

At 11 50 a m., Mr. Dickey asked for, and was granted, unanimous consent that Messrs. Brady and Dolwig be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the daily file is in better condition this session than at any previous session, and expressed appreciation, on behalf of Speaker Sam L. Collins, and himself, to all for their fine efforts in expediting the work of the Assembly

APPOINTMENT OF MEMBER TO JOINT INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Levering as a member of the Joint Interim Committee on Water Problems, vice Mr. Butters, deceased.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1534

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 895
Assembly Bill No. 896

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency and Economy.

CONNOLLY, Chairman

Above reported bills ordered re-referred to the Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Rules, in Room 319.

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3184.
Manufacturing, Oil, and Mining Industry, in Room 432.

At 8 p.m.—

Education, in Room 3186.
Municipal and County Government, in Room 2170.

It was announced that the following committee would hold no meeting today:

Constitutional Amendments.

REPORT ON OVERLAPPING IN BUILDING REGULATIONS BY ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

House Resolution No. 183, 1949

A. I. STEWART, Chairman

To the Honorable Sam L. Collins, Speaker, and to the Members of the Assembly:

House Resolution No. 183, 1949, directed that this committee investigate overlapping in state and local building regulations, and propose corrective legislation, if appropriate, to relieve the burden that these conflicts now impose on builders.

To study a problem of this scope and complexity requires painstaking attention to a mass of detailed law and regulations. Near the end of 1949, we engaged Louis J. Kroeger and Associates, management consultants, of San Francisco and Los Angeles, to undertake the necessary staff work of compiling and analyzing the data on which this report is based.

The committee met in Sacramento in March, 1950, at which time the staff outlined proposed procedures for the study, and reported certain preliminary facts concerning the scope of the problem.

Thereafter the staff amassed and reviewed about 4,400 pages of California state and local building regulations; and almost as much again from other states and localities. The analysis of this material was contained in a second staff report, released in August, 1950, and circulated widely among public officials and the industries and professions engaged in building.

The committee held hearings in San Francisco and Los Angeles in October, 1950, to give all concerned an opportunity to comment on the tentative findings and recommendations in the second staff report. A full transcript of those hearings is available as part of the records of this committee.

In addition to committee hearings, the staff has had further conferences with a committee of the League of Cities and with industry and profession representatives, to the end that this report of your committee may reflect as accurately as possible the best available thinking as to what should be done about this troublesome problem.

Finally, the staff has, through correspondence with the governors and building officials of other principal states, sought to find precedent elsewhere by which California might benefit. Apparently, however, this is a common problem to which no state has yet provided a satisfactory answer.

That it is essential to the economy of the State that an answer be found is illustrated by the mounting value of building construction. The following figures show total value of public and private, residential and non-residential construction in California in recent years:

1945	$ 373,500,000
1946	$1,262,700,000
1947	$1,613,400,000
1948	$2,275,200,000
1949	$1,817,700,000
1950	Estimated to be over $2,000,000,000

If overlapping building regulations add only 1 percent to costs in this 20 billion dollar activity, the unjustified cost to builders is $20,000,000! A waste of 20 million dollars deserves prompt and decisive action by this Legislature.

SCOPE OF THE STUDY

By the terms of House Resolution No. 183, this is a study of overlapping in building regulations.

There is a host of other problems affecting the construction industry and allied activities, which interested parties would like to see investigated as a part of this study; but we have kept within the strict limits of the resolution.

This report, therefore, does not consider such matters as the adequacy of building codes; any aspect of zoning to regulate where buildings may be erected; claims of excessive or restrictive requirements as to conditions or materials; alleged restrictive practices of building trades labor unions; the adequacy or social implications of housing; or the policies and practices of state and local administrative and licensing agencies, except as they are directly concerned in promulgating and enforcing building regulations.

If basic conflicts can first be resolved, then many of these other problems can more readily be solved.

FINDINGS

The results of detailed study can be summarized in a few general findings, with which we believe there will be general agreement:

1. There are too many overlapping building regulations to make it feasible or desirable to attempt to recite them in full.

2. There are too many conflicts, and in such a variety of types of regulations, to make it feasible or desirable to try to resolve the conflicts by detailed legislative action.

3. The real problem is to find a proper definition of the relative authority and responsibility in this field among state agencies, among local agencies, and between state and local agencies.

4. Although the Uniform Building Code is in use by most cities in the State, it is frequently amended in some respects before local adoption.

5. The authority to make laws and rules governing building construction is widely scattered among state and local agencies.

6. The rule-making authority is frequently mingled with enforcement authority.

7. Regulations governing the construction industry have a variety of purposes, of which the principal ones are: (a) assuring adequate structural soundness, (b) protecting surrounding economic values, and (c) assuring the safety of persons where they live, where they work and where they assemble.

8. Neither those making rules nor those enforcing them recognize clearly or observe carefully these different purposes.

9. Many of the regulations are not readily available in understandable form to those who must be governed by them.

10. A local permit to build is no guarantee whatsoever against later intervention by other authorities, with the possible requirement of alterations in work already completed.

11. A citizen proposing to build (or his architect or contractor) must literally become a coordinator of a variety of public agencies to be assured of proper clearance of every official detail.

12. Building construction is slower and costlier as a consequence of all the foregoing conditions.

NATURE OF EXISTING OVERLAPPING

Overlapping Among State Agencies

The State has no one agency concerned principally with building regulations. There are at least 10 state agencies having some degree of authority in this field; and no one of them is responsible for taking the lead in coordinating the activity of all of them. This produces two kinds of confusion—conflict between state agencies themselves; and too many kinds of relationships between state and local agencies.

There is no consistent pattern for defining the relative responsibility of the State and of local agencies in enforcing state regulations. In some instances, such as many of the regulations of the State Fire Marshal, the regulations are published by the State, but generally left to local fire departments for enforcement In other instances, such as checking the structural detail on school buildings, the work is done directly by the state.

Even though the State Fire Marshal's regulations are enforced locally, there is some local resentment against them because their enforcement is required to be through the local fire department, rather than leaving the city free to assign it to the building safety department if locally it seems like a better idea

Some state agency actions would seem less confusing and conflicting if they were better understood. They are not understood partly because the regulations are too long and involved for the average reader, and partly because they are not published in such a way as to be widely distributed before they are effective. Printing a regulation and having it available for those who ask for it may create the legal presumption that all concerned are properly notified, but it is not a very practical way of really being sure that those regulated know what is expected of them.

Overlapping Among City Agencies

The cities tend to lay all blame for conflict and confusion on the State. But few cities have put their own administrative house in order. Most cities have a building official who is the principal officer responsible for enforcing building regulations. In addition, the fire department, the health department, and sometimes as many as a dozen other local agencies are involved in some phase of building regulation. Even though most of these agencies have a legitimate concern in some aspect of building regulation, local organization should be such that the applicant for a building permit would have to go only to one place and could expect a single answer from the city, embodying all the considerations that any city department is authorized to apply.

A health department naturally and properly views a proposed building solely from the standpoint of sanitary and other health features; a fire department is concerned with preventing fire and being able to fight it effectively if necessary; a planning department wants to be sure that

the building conforms to zoning regulations If each pursues its own interests without central direction and coordination, each set of features gets undue attention. The builder who goes to 10 city offices and gets a favorable decision in nine of them and a rejection in the tenth, can hardly be blamed for feeling that he is unfairly treated and that he should get a permit anyway, since the vast majority of the offices approve.

Overlapping Between Cities and Counties

Most of the counties in California do not have building regulations. Opposition has generally come from agricultural interests, who argue against the need for regulation on farm buildings.

The lack of county regulation in many places has created a serious situation for the cities having heavily populated "fringe areas" The substandard buildings permitted in unregulated county territory tend to depreciate property values in nearby city areas; and the city faces a serious future enforcement problem whenever the fringe area comes into the city by annexation.

In those cases where the county has adopted a building code, the conflict between city and county is generally the same as that between cities, described in the following section.

Overlapping Between Cities

The "Uniform Building Code" is a compilation of regulations by building official members of the Pacific Coast Building Officials Conference working with other groups, including state departments. Most California cities have adopted the Uniform Code, but in doing so they frequently adopt local modifications which impair uniformity, or fail to enact late editions of the code.

From studying the variations in the Uniform Building Code, it is not apparent why these variations are important. They frequently consist of minor variations in standards, probably adopted to satisfy local pressure groups, but not essential to building safety.

The fact that most of the cities adopt the Uniform Building Code almost in its entirety does not minimize the confusion that results from minor local exceptions. For instance, when 45 cities in Los Angeles County, and the county itself, may indulge in any combination of variations of the Uniform Building Code, a builder operating throughout the county faces a bewildering situation.

If local conflicts are to be resolved, the means for reducing variation in local building codes must be found. It will always be desirable to leave to each city the discretion to set its own schedule of fees and to establish its own local form of administration; but such details do not concern the builder in the same way as do such things as varying requirements for the height of ceilings.

Overlapping Between Cities and the State

Here is the most serious point of overlapping, and the one about which the Legislature can take the most conclusive action. Inherent in this particular conflict is not only a matter of convenience to an important industry and to the citizenry; but there is also a matter of the nature of the fundamental relations between cities and the State.

Building regulation has traditionally been a field of local concern. Cities have adopted their own standards and regulations and have been responsible for their own enforcement.

The State has more recently begun to occupy the field of building regulation, and has usually come into it to meet some special requirement, or to carry out some other function of the State, or to protect the local investment of state funds. Thus, the State Division of Architecture was precipitated into the business of checking the structural plans of school houses because a serious earthquake revealed deficiencies in existing standards; and state housing regulations stem from the State's general concern in the field of industrial relations and welfare.

The principal examples of state regulations and/or enforcement in this field are as follows:

1. *Agriculture.* The Department of Agriculture regulates the construction and extensive alteration of dairy buildings by establishing rules, providing plans and specifications and approving plans.

2. *Corporations.* The commissioner approves plans for housing projects undertaken by land chest corporations, and may enforce improvements for the health and safety of occupants.

3. *Education.* The Department of Education may establish rules and standards and must review plans for construction or alteration of school buildings where the contract cost will exceed $5,000.

4. *Fire.* The State Fire Marshal has broad rule-making power with respect to fire protection, the protection of life and property against fire and panic, and the design of state institutions. In these matters he may and does delegate authority to local fire departments. He also has rule-making and enforcement responsibilities for fire safety in clothes-cleaning and spotting, sponging and pressing establishments.

5. *Industrial Relations.* The divisions of the Department of Industrial Relations make and enforce building rules on a wide range of subjects, including apartment houses, other dwellings, auto courts and resorts, labor camps, and places of employment. These are designed primarily to protect the safety of individuals, but in doing so necessarily become involved in the construction and equipment of buildings. Certain of these regulations, particularly those affecting dwellings, are enforced by local officials, except that the state agency may intervene where local agencies fail. Most of the regulations of the department are enforced directly by state officials.

6. *Public Health.* The Department of Public Health enforces laws and regulations governing bakeries, restaurants and food processing establishments. Certain of these laws are enforced both by the State and by local health officials, and others by state officers. The department also sets and enforces standards for the construction and equipment of hospitals and clinics.

7. *Public Works.* The Department of Public Works checks the construction and alteration of dams, school buildings, certain other public buildings, and the State's own buildings There are also general provisions of law which specify certain conditions to be met by all contractors on public construction.

8. *Public Utilities.* The Public Utilities Commission makes regulations governing the construction of utility facilities.

9. *Social Welfare.* The Department of Social Welfare checks the plans for a wide variety of welfare institutions.

10. *Veterans.* Plans and specifications must be approved by the Department of Veterans Affairs as a condition of aid under the Veterans Farm and Home Purchase Act.

There are two significant points about the foregoing summary: (1) it is a greatly simplified statement about regulations which occupy hundreds upon hundreds of pages of law and regulations; and (2) much of the same subject matter is covered by local regulations and is subject to local inspections as well.

Under present arrangements, the difficulties of the builder are particularly trying in those cases in which state enforcement applies only when local officials have failed. In such instances the builder may in good faith have completed work according to local standards (and according to his information, the only standards), only to find later that stricter state standards were not properly enforced locally, and that he must tear out the job and do it over according to those standards. Differences between state and local officials would not be so serious if they were the only ones concerned, but they become a matter of general concern when innocent bystanders are injured.

Equally serious, and equally a matter of general concern, are those instances in which the State must rely on local enforcement, but is without the power to require a satisfactory standard of local enforcement.

Underlying all these problems is the basic fact that the State lacks any single point at which responsibility is lodged to see that state law, regulations and enforcements standards and practices are kept consistent and well coordinated. If the building industry or the local building officials or any state agency seeks assistance in the solution of a problem of general concern, there is no one state officer responsible for bringing together all pertinent facts and all interested parties. To a considerable degree, this lack has undoubtedly accounted for much of the existing chaos.

PROBLEMS OF THE BUILDERS

The hostile attitude of so many builders toward building regulations and building officials can be easily understood in light of some of the builders' problems.

1. Most building regulations are too detailed and written in too difficult language to be readily read and applied on the job.

2. Many of the regulations are out of print. It is annoying to be held subject to a rule which cannot be readily ascertained.

3. Many of the local regulations are out-of-date. A city adopts the Uniform Building Code, with modifications. Later the Uniform Building Code is revised, but the city fails to adopt the revised edition. The harassed builder must not only know what modifications each city has adopted, but must also remember which edition they approved.

4. There are conflicts in the detail of regulations, already discussed.

5. There is a multiplicity of regulating agencies, some with outlets for appeals from decisions, and others without such recourse—and each

operating alone, so that the builder must move among them as the coordinating force which finally gets agreement on the standards to govern a given job

6. Because of the multiplicity of agencies there is also added costs for a multiplicity of inspections and approvals

THE PROBLEMS OF OCCUPANCY

Not all of the difficulty complained of is caused by conflicts in regulations Some of it is caused by the changing uses to which buildings are put.

The conflicts which beset the builder of a new building are serious; and in the course of time many of them can be resolved by the actions which this report will recommend. But there will still remain the problem of the owner of a building who wishes to change its occupancy after it has been built. For him the imposition of an unexpected set of regulations is just as serious, but more often justified.

If a building originally intended for storage purposes is converted to a dwelling, it clearly becomes subject to a different set of standards If a building housing a manufacturer of machinery is later to be used by a processor of foods, new regulations properly apply.

As to those complaints that a building must be altered to fit different standards in those circumstances, we have no concern. Even in these change of occupancy cases, however, we find instances in which there are conflicts and lack of adequate information as to just what change must be made—and those conflicts must be resolved.

SOME ALTERNATIVE SOLUTIONS

There are a number of alternative ways of treating this problem:

1. It can be left as it is, on the grounds that construction progresses in spite of it; it is familiar; and any attempt to change it will encounter opposition from one source or another This is an unsound, defeatist attitude, not yet openly expressed by anyone, but several times implied as the probable ultimate fate of this investigation.

2 The State might adopt a Minimum Uniform Code, with authority vested in the local governments to adopt necessary local modifications, and with local enforcement. This would perpetuate the present condition of confusion and conflict, since local units would tend to modify the state standard just enough to make every local situation different.

3. Some advocate complete state regulation and enforcement. In a state of this size and variety of conditions, such a plan is not practicable; and it would be an unwarranted invasion of the rights of home rule enjoyed by California cities.

4. Regulations might be established voluntarily through some such organization as now develops the Uniform Building Code, but with the requirement of actual uniformity; and with local enforcement. This plan has much to commend it, except that (1) it might be difficult to enforce the uniform adoption of regulations informally developed, and (2) it is doubtful whether such an arrangement recognizes adequately the general public interest, as represented by the State.

5. The entire matter could be returned to local jurisdiction. This would eliminate conflict with the State by removing the State from

the field entirely. The cure, however, is a little too drastic In the days of widely separated self-contained communities, such an arrangement was logical. Under present conditions, when cities in a metropolitan area are separated only by an imaginary line; when people live, work and congregate in different political jurisdicitions; and when food is processed, shipped and served over a wide area, the considerable interest of the State in this field cannot be denied

6. There might be a clear division of responsibility by vesting all law and rule making authority in the State, and reserving all enforcement to the local governments. As stated, the principal objection to this plan is that uniform state regulation would be too rigid to apply equitably in all parts of the State, and the subsequent strain on local enforcement agencies, coupled with a lack of supervision over local enforcement, would soon bring chaos back in but a different form.

7. The State might adopt and enforce uniform regulations, with the provision that any city could exempt itself from state regulations by adopting equivalent standards.

8. A plan which has been offered to reconcile most of the difficulties and objections would be one providing for a coordinated authority to make regulations, probably at the state level, with local boards of appeal authorized to make local exceptions within limits, and with enforcement at the local level, subject to standards set by the rule-making authority.

We believe that a complete clear-cut solution of all the problems is not possible at this time. The point that needs clarification first—and the one most directly a proper field of action by this Legislation—is to clarify the state regulations in this field In our hearings we raised repeatedly the question of whether a new state agency should be established to codify and coordinate state regulations in this field; and whether the State should regulate by law or by administrative regulation The consensus of opinion given us is that codification of state regulations should be under legislative supervision, but that resulting regulations should be promulgated administratively. The Committee concurs in those views, and therefore offers the following recommendations:

RECOMMENDATIONS

Your committee recommends:

1. That the first step in resolving conflicts in building regulations be the codification of state regulations on this subject.

2. That the task of codification be carried on under the jurisdiction of the Interim Committee on Governmental Efficiency and Economy.

3. That the committee be authorized to engage staff and utilize advisory committees representing the public officials and industries and professions engaged in building.

4. That the committee be instructed to do these things:

a. Recommend a codification of all existing state regulations governing building.

b. Propose changes in legislation or regulation needed to eliminate conflicts which become apparent as codification proceeds.

c. Prepare a definition of the proper extent of the State's interest in this field.

d. Propose changes in state organization necessary to provide better direction and coordination of the State's proper interests in this field.

5. That the Legislature endorse the Uniform Building Code and encourage local governments to adopt it with a minimum of variations, and to keep current with revisions in the Code.

Your committee will sponsor resolutions to give effect to these recommendations.

Respectfully submitted,

A. I. STEWART, Chairman
LAUGHLIN E. WATERS, Vice Chairman
RALPH M. BROWN
JOHN L. E. COLLIER
CHARLES J. CONRAD
WILLIAM S GRANT
AUGUSTUS F. HAWKINS
LUTHER H. LINCOLN
GLENARD P. LIPSCOMB
ROBERT I. McCARTHY
LESTER A. McMILLAN

APPENDIX B

House Resolution No. 000

A resolution encouraging the adoption of uniform local building regulations

WHEREAS, The Assembly Interim Committee on Governmental Efficiency and Economy has reported serious conflicts in state and local building regulations; and

WHEREAS, It appears that part of this conflict results from lack of uniformity caused by failure to adopt a Uniform Building Code, or from variations included at the time of adoption of the code, or from failure to adopt subsequent revisions; and

WHEREAS, This Legislature respects the autonomy of local government on this subject, yet sees the advantages of uniform building regulation; and

WHEREAS, Representatives of local governments, through the Pacific Coast Conference of Building Officials, have developed a Uniform Building Code; now, therefore, be it

Resolved,

1. That this Legislature urges upon each local government the importance of adopting as nearly uniform building regulations as possible, as a measure of public convenience and economy.

2. That this Legislature recommends to the governing body of each local government that the Uniform Building Code be adopted with a minimum of local modification; and that revision of the code be enacted as published.

3. That copies of this resolution be sent to the clerk of each local government.

MOTION TO ADJOURN

Mr. Dickey moved that the Assembly do now adjourn until 9.30 a.m , Thursday, May 24th.

Mr. Erwin seconded the motion.

Substitute Motion

Mr. Beck moved, as a substitute motion, that the Assembly do now adjourn until 10 a.m., tomorrow, Thursday, May 24th.

Mr. Elliott seconded the substitute motion.

The roll was called, and the substitute motion lost by the following vote:

AYES—Beck, Berry, Burkhalter, Clarke, George D. Collins, Condon, Dunn, Elliott, Fleury, Geddes, Hagen, Hawkins, Lyon, McFall, Munnell, Parker, Rosenthal, Rumford, and sherwin—19.

NOES—Babbage, Burke, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Erwin, Gaffney, Grunsky, Gubser, Hansen, Hollibaugh, Kelly, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Silliman, Stanley, Stewart, and Waters—30.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Jack Young and Dimitri Senoff of San Diego.

On request of Messrs. Erwin and Burke, the usual courtesies of the Assembly for this day were unanimously extended to Carol Pitkin, James A. Miklin, and La Mar Hill of El Monte.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to R. C. Miller and Fred King of El Monte.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Frederick Dockweiler of Los Angeles.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ailene Warnken, Miss Constance Gotaas, Mrs. Gertrude Coats, and Robert W. Luther, teachers, and the following pupils of the Fruit Ridge School: Alice Anderson, Peggy Ann Baker, Irma Lou Bruns, Juanita Chapman, Francene Caldwell, Nina Caldwell, Corrinne Darland, Doris Haskett, Jeanette Haynes, Shirley Holzapple, Patricia King, Patty Mead, Mabel Morrow, Sharon Purvis, Sharris Whaley, Marilyn White, Louise Williams, Jo Ann Reese, Andrew Aasletten, Gerald Beivelman, Charles Butts, Richard Cook, Eugene Cooper, George Darling, Byron Ecker, Richard Frago, Norman Gale, Frank Handley, Sidney Jew, David Johnson, William Johnson, Larry Linder, Murray Mayer, Donald Mello, William Norton, Gary Omohundro, Richard Nauss, Marvin Reich, Dewey Richardson, Norman Roberts, Raymond Stuckert, Bobby Sutherland, Paul Valencia, Donald Anderson, George Bacich, Ralph Bissonette, Dywane Calapp, Loren Collin, Barbara Harden, Carole Herrmann, Diane Herrick, Adrien Ivazian, Naomi Jones, Janet Mayberry, Yvonne Cecchettini, Marlene Conrad, Beverly Galli, Jo Anne Hamon, Marguerite Henderson, Anne Hendon, Gayle Julson, Sharon Knight, Eleanor Martin, Meredith Millar, Barbara Nelson, Geraldine Owings, Elva Powers, Joan Rogers, Janet Stitt, Mary Van Nortwick, Beverly Wood, Gilbert Albiani, Paul Bewley, Charles Clifford, Richard Darland, Fred Dunn, Leroy Eddenfield, Duane Ferguson, Keith Gittins, Kenneth Higginbotham, Thad Ipsen, Joe Raabe, Herbert Reynolds, Kenneth Ridgway, Edward Russell, Richard Separovich, Robert Whitehead, James Clark,

Meredith Wai, John Garbi, Hubert Norton, Martin Eid, Kenneth Barton, Eugene Doud, Arthur Fueston, Ronald Gilstrap, Arnold Gregorio, Leland Hales, Frederick Holbrook, Earle Kale, Frankie Lopez, Floyd Slocum, Jim Snavely, Howard Rose, Jerry Waldron, Gordon Wells, Max Petkovich, Robert Clark, Constance Donnis, Marion Dorsch, Racheal Arias, Dorothy Key, Lavonia Key, Rae Knox, Shirley Ridge, Carolyn Steen, Wilma Sparling, Susie Stover, Carlos Fernandez, Warren Ilsohn, Wayne Johnson, Richard Kanemoto, Rudolph Lester, Robert Santin, David Takagi, David Tosch, Russell Vaughn, Jackie Atkinson, Marilyn Barnes, and Carol Coughlin.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hazel Wolley, teacher, Mrs. Will Dickey, Mrs. Ray Walker, Mrs. Joe Cecchini, Mrs. Geo. Pinney, Henry Hartson, and Mrs Glenn Geddes, adults, and the following pupils of the Knightsen School: Barbara Dickey, Winnie Cooper, Richard Pickell, Carmen Bermmen, Gloria Brumley, Shirley Willis, Hilaria Urenda, Sandra Walker, Edward Pinney, Jerrilee Geddes, Carmen Singh, Robert Hartson, Dorothy Simmons, Reuben Tomayo, Shirley Sue Keifer, Pauline Stanley, Maggie Alanis, Gary Kataoka, Louise Tarango, Joe Aguilar, Conrad Garcia, Joseph Glezenski, Allen McClelland, Charles Willis, Letha Willis, Allan Kawada, Lee Jones, Adia Harris, Nori Tamasaki, Robert Cecchini, Kenneth Hartson, Lucille Hayashi, Leonard Dinsmore, Norma Grimes, John Garcia, Roy Galli, Robert Pastor, Lena Dorez, and Isabel Martinez.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Bonnie Murrison and Flossie Moran, teachers, Sidney Anderson, adult, and the following pupils of the Greenwood and Moore Schools: Robert Fappiano, Jack Werner, Akira Aoyama, Sonja Betcher, Alice Tanaka, Melvin Sangiunetti, Susan Armanino, Marlene Arata, Vivian Podesta, Barbara Medina, Mary Podesta, Ernest Sarale, Stanley Lagomarsino, Mike Tait, Carolyn Love, Dolores Ratto, Mary Wong, Judy Gabbert, Donna Harrington, Rolline Harrington, Tommy Harris, Arden Cademartori, Douglas Gianelli, Lawrence Sambado, Neva Franklin, Margaret Burlando, Charlotte White, Guido Olivieri, Albert Rivera, Bobby Boggiano, Billy Wong, Jerry Takaoko, and Don Frazier.

On request of Mr. Gaffney, and the San Francisco Delegation, and Messrs. Kirkwood, Gubser, Porter, and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Patricia Gilkeson, Albert Wollenberg, Jr., and Bob Katz of San Francisco State College; David Down and Fred Spolyar, of San Jose State College; Art Fabian of Los Angeles State College; and Gerry Lanning of Sacramento State College.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Stennett Sheppard of Weaverville.

On request of Messrs. Maloney and Grant, the usual courtesies of the Assembly for this day were unanimously extended to A. Garrozola, Jimmie McElfish, Geo. Brown, and A. Garrozola of San Francisco.

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Gertrude Cable, teacher, Mrs

Carl Woods, Mrs Jesse Manley, and Mrs S. O. Johnson, adults, and the following pupils of the Arboga School, of Marysville: William Anderson, Christine Cottrell, Willadean Decker, Hazel Ketchersid, Eleanora Mason, Oleta McCarthy, Neata Ragan, Denny Reeve, Douglas Smith, Shirley Turnbow, Willis Wardlow, Dorothy Wilson, and James Wooten.

On request of Messrs. Hinckley and Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Edward Cantlay, Geo. Rayfield, Milton Pate, and Joseph Williamson, of San Bernardino; Francis Johnson of Riverside, and W. C. Shay of San Bernardino.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Henry Yee, D. C., of Sacramento.

On request of Mr. Berry, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jim Roley of Portland, Oregon.

ADJOURNMENT

At 11.58 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a m, Thursday, May 24, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY

NINETIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 24, 1951

The Assembly met at 9.30 a m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence Kircher:

O God, Who appointest all things to a destined and holy end, and requirest of a man a reasonable service, quicken in us we beseech Thee the sense of a gracious Presence and Power in the world, of a Providence that never slumbers, of a Love that never fails. So unite us with Thyself in our aspirations and thoughts that with our whole might, doing those things which please Thee, we may live in Thy favour and in that Light which ever broadens to a perfect day.

"Teach me, O Lord, Thy holy way,
And give me an obedient mind
That in Thy service I may find
My soul's delight from day to day."

In Christ's name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McMillan, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Dickey.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brown, on motion of Mr. Dickey.

Mr. McGee, on motion of Mr. Rosenthal.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Kilpatrick, on motion of Mr. Dickey.

Mr. Lincoln, on motion of Mr. Dickey.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 37
Assembly Joint Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 65

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 148
House Resolution No. 153

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 74

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

Senate Joint Resolution No 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 36

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 516
Assembly Bill No. 519
Assembly Bill No. 1689
Assembly Bill No. 1715
Assembly Bill No. 2011

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 974
Assembly Bill No. 1345
Assembly Bill No. 1582

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

And appointed Senators Way, Hulse, and Hatfield, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1745

The Speaker announced the appointment of Messrs. Kirkwood, Cooke, and Luckel as a Committee on Conference concerning Senate Bill No. 1745.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 100
Assembly Bill No. 1155
Assembly Bill No. 1727

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 550
Assembly Bill No. 2923

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 143
Senate Bill No. 663
Senate Bill No. 1137

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Pursuant to your request, I am returning herewith:

Assembly Bill No. 1879

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Pursuant to your request, I am herewith returning:

Senate Bill No. 1055

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 255
Senate Bill No. 359
Senate Bill No. 527
Senate Bill No. 585
Senate Bill No. 620
Senate Bill No. 735
Senate Bill No. 744
Senate Bill No 1002
Senate Bill No. 1203
Senate Bill No. 1204
Senate Bill No. 1221
Senate Bill No. 1527
Senate Bill No. 1591
Senate Bill No. 1634
Senate Bill No. 1696
Senate Bill No. 1815
Senate Bill No. 1820

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 359—An act to add Section 5059.5 to the Education Code, relating to school district bonds.

Referred to Committee on Education.

Senate Bill No. 527—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

Senate Bill No. 585—An act to add Sections 104.8, 2229, 3095, and 3484 to, the Welfare and Institutions Code, and to amend Sections 1001, 1011, and 1024 of the Probate Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, and providing for the repayment of such aid out of the estates of the recipients thereof.

Referred to Committee on Social Welfare.

Senate Bill No. 620—An act to add Section 157.5 to the Vehicle Code, relating to vehicles and registration and license fees therefor.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 735—An act to amend Sections 3040, 3082 and 3473 of the Welfare and Institutions Code, relating to aid to the needy blind and aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Senate Bill No. 744—An act to amend Sections 11005, 13370, and 18004 of the Government Code, relating to approval powers of the Director of Finance or the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1002—An act to add Section 6005 to the Penal Code, relating to trials of persons committed to the Youth Authority.

Referred to Committee on Judiciary.

Senate Bill No. 1203—An act to add Section 1518.4 to the Military and Veterans Code, relating to civil defense.

Referred to Committee on Military Affairs.

Senate Bill No. 1204—An act to amend Sections 3211 9, 3211.92, 3211.93, 3352 94, 4363, of, and to renumber the chapter heading of Chapter 10 5 of Division 4, Part 1 of, and to repeal Sections 3211.2, 3211 4, 3211.6, 3211.7, 3211.8, 3352.5, 4301, 4302, 4303, 4304, 4305, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4366 and 4367 of the Labor Code, relating to the furnishing of workmen's compensation benefits to volunteer disaster service workers.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1221—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1527—An act to amend Section 5065 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1591—An act to add Section 144.15 to the Welfare and Institutions Code, relating to public assistance in respect to real property owned by applicants at the time of application therefor.

Referred to Committee on Social Welfare

Senate Bill No. 1634—An act to add Sections 142, 143, 143.1, 143.2, 143.3, 143.4, 143.5, 143.6 and 143.7 to the Welfare and Institutions Code, and to repeal Sections 1520, 1520.1, 1521, 1521 2, 1521 5, 2163, 2163.1, 2163.2, 2163.4, 2163.5, 2163.7, 2164, 2165, 2165a, 2165d, 3047, 3047.01, 3047.02, 3047.2, 3047 21, 3047 24, 3047 25, 3047 27, 3047.3, 3047.5, 3447, 3447.1, 3447.3, and 3448 thereof, relating to public assistance, in respect to property qualifications therefor.

Referred to Committee on Social Welfare.

Senate Bill No. 1696—An act to add Section 3473 01 to the Welfare and Institutions Code, relating to aid to blind persons.

Referred to Committee on Social Welfare.

Senate Bill No. 1815—An act creating the Solvang Municipal Improvement District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1820—An act to amend Section 25 of the Fish and Game Code, relating to the leasing of property and the establishment of fish breederies or hatcheries and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3074—An act to add Section 4 to the Fish and Game Code, relating to the taking of private land for public use.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1954—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, line 39, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "10", and insert "18".

Amendment No. 2

On page 4, line 49, of said bill, strike out "10", and insert "18".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 206—An act to amend Section 420 of, and to add Section 429.6 to, the Fish and Game Code, relating to sporting fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "in the surf or from the beach or", and insert "from".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9, 10, and 11, and insert
"(b) To any non-resident or alien, over the age of 16 years, upon the payment of ten dollars ($10)."

Amendment No. 2

On page 1 of the printed bill, strike out lines 15, 16, and 17, deleting section (d) from the bill.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on May 17, 1951, strike out "or until October 1"; and in line 3, strike out "1953 whichever is later".

Amendment No. 2

On page 2, line 10, of the printed bill, strike out "the provisions of this section shall terminate"; and strike out all of line 11.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 751—An act to amend Section 496 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, between lines 6 and 9, insert
"SEC. 2. The provisions of Sections 495 and 496 shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment read, and adopted.
Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 293—An act to add Sections 20176 and 20177 to the Education Code, relating to the establishment as part of the University of California of a State Laboratory for the Diagnosis of Disease in Livestock and Poultry.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20176 and 20177 to the Education", and insert "36 and 37 to the Agricultural".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "as part of the University of California".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 36 is added to the Agricultural Code,".

Amendment No. 4

On page 1, line 3, of said bill, strike out "20176.", and insert
"36."

Amendment No. 5

On page 1, lines 4 and 5, of said bill, strike out "as part of the University of California".

Amendment No. 6

On page 1, line 6, of said bill, after "Jose", insert ", and shall be established, operated, and supervised by the Department of Agriculture".

Amendment No. 7

On page 1 of said bill, strike out line 7, and insert
"SEC. 2. Section 37 is added to said code, to read:".

Amendment No. 8

On page 1, line 8, of said bill, strike out "20177.", and insert
"37."

Amendment No. 9

On page 1 of said bill, strike out lines 13 to 15, inclusive, and insert
"SEC 3. Out of any money in the Fair and Exposition Fund in the State Treasury the sum of _____ ($_____) is hereby appropriated to the Department of Agriculture for establishing, purchasing site for, construction of, and equipping the laboratory provided for in this act and to carry out the provisions of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3435—An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, proscribing specified concerted interferences with the transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "such", and insert "milk, cream, and other perishable agricultural".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3166—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2181.01 of", and insert "add Section 1526.1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "old age security", and insert "aid to needy children".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 1526.1 is added to the Welfare and Institutions Code, to read

1526.1. A person whose residence under the provisions of Sections 17.1 and 1526 of this code determines the residence of a recipient of aid under this chapter, who has remained outside this State for a continuous period of one year or longer shall be prima facie evidence of the intent of such person to have changed his residence to a place outside this State. The county granting aid to a recipient whose residence under the provisions of Sections 17.1 and 1526 of this code is determined by the residence of such persons shall make inquiry from such persons as to their intent to remain residents of California or to become residents of another state, and shall redetermine the residence of such persons for the purposes of this chapter. In any case where the inquiry made under this section establishes that the person whose residence under the provisions of Sections 17.1 and 1526 of this code determines the residence of a recipient, is no longer a resident of this State, the recipient's aid shall be terminated immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 21 to 29, inclusive, and insert

"*(4) If it contains provision or provisions which would have the effect, upon any termination of the policy, of reducing or ending such liability as the insurer would have, but for such termination, for loss of time resulting from accident occurring while the policy is in force or for loss of time commencing while the policy is in force and resulting from sickness contracted while the policy is in force or for other losses resulting from accident occurring or sickness contracted while the policy is in force, and also contains provision or provisions reserving to the insurer the right to cancel or refuse to renew the policy, unless it also contains other provision or provisions the effect of which is that termination of the policy as the result of the exercise by the insurer of any such right shall not reduce or end such liability in respect to the hereinafter specified losses as the insurer would have had under the policy, including its other limitations, conditions, reductions and restrictions, had the policy not been so terminated*

The specified losses referred to in the preceding paragraph are:

(i) Loss of time which commences while the policy is in force and results from sickness contracted while the policy is in force,

(ii) Loss of time which commences within twenty (20) days following and results from accident occurring while the policy is in force,

(iii) Losses which result from accident occurring or sickness contracted while the policy is in force and arise out of the care or treatment of illness or injury and which occur within ninety (90) days from such termination of the policy or during a

period of continuous compensable loss or losses which period commences prior to the end of such ninety (90) days, and

(iv) Losses other than those specified in (i), (ii) or (iii) above which result from accident occurring or sickness contracted while the policy is in force and which losses occur within ninety (90) days following such accident or the contraction of such sickness."

Amendment No. 2

On page 3 of said bill, strike out lines 11 to 50, inclusive, and insert

"(8) If it substitutes a specified indemnity upon the occurrence of accidental death for any benefit of the policy which would accrue prior to the time of such death or if it contains provision which has the effect other than at the election of the insured exercisable within not less than twenty (20) days in the case of benefits specifically limited to the loss by removal of one or more fingers or one or more toes or within not less than ninety (90) days in all other cases.

(i) Of substituting, upon the occurrence of the loss of both hands, both feet, one hand and one foot, the sight of both eyes or the sight of one eye and the loss of one hand or one foot, some specified indemnity for any or all benefits under the policy unless the indemnity so specified is equal to or greater than the total of the benefit or benefits for which such specified indemnity is substituted and which, assuming in all cases that the insured would continue to live, could possibly accrue within four years from the date of such dismemberment under all other provisions of the policy applicable to the particular event or events (as distinguished from character of physical injury or illness) causing the dismemberment, or

(ii) Of substituting, upon the occurrence of any other dismemberment some specified indemnity for any or all benefits under the policy unless the indemnity so specified is equal to or greater than one-fourth of the total of benefit or benefits for which such specified indemnity is substituted and which, assuming in all cases that the insured would continue to live, could possibly accrue within four years from the date of such dismemberment under all other provisions of the policy applicable to the particular event or events (as distinguished from character of physical injury or illness) causing the dismemberment; or

(iii) Of substituting a specified indemnity upon the occurrence of any dismemberment for any benefit of the policy which would accrue prior to the time of dismemberment.

As used in this section, loss of a hand shall be severance at or above the wrist joint, loss of a foot shall be severance at or above the ankle joint, loss of an eye shall be the irrecoverable loss of the entire sight thereof, loss of a finger shall mean at least one entire phalanx thereof and loss of a toe the entire toe."

Amendment No. 3

On page 4 of said bill, strike out lines 8 to 11, inclusive, and insert

"(11) If it contains benefit or benefits for loss or losses from specified diseases only unless:

(i) All of the diseases so specified in each provision granting such benefits fall within some general classification based upon:

(A) The part or system of the human body principally subject to all such diseases,

(B) The similarity in nature or cause of such diseases,

(C) In case of diseases of an unusually serious nature and protracted course of treatment, the common characteristics of all such diseases with respect to severity of affliction and cost of treatment, and

(ii) The policy is entitled and each provision granting such benefits is separately captioned in clearly understandable words so as to accurately describe the classification of diseases covered and expressly point out, when such is the case, that not all diseases of such classification are covered."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 3094—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of hostesses by licensees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out ", or permit"; and strike out lines 13 to 19, inclusive, and insert "or permit anyone who gains a financial advantage thereby, to beg or solicit any patron or customer of, or visitor in such premises, to purchase any alcoholic beverages for the one begging or soliciting."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

SECOND READING OF SENATE BILLS

Senate Bill No. 293—An act to add Section 1384.6 to the Fish and Game Code, relating to the importation of carcasses or parts thereof of domesticated game birds.

Bill read second time, and ordered to third reading.

Senate Bill No. 294—An act to repeal Section 1290 of, and to add new Section 1290 to, the Fish and Game Code, relating to deer hides.

Bill read second time, and ordered to third reading.

Senate Bill No. 297—An act to amend Section 1281 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered to third reading.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags

Bill read second time, and ordered to third reading.

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Senate Bill No. 1587—An act to add Section 103.4 to the Welfare and Institutions Code, relating to absence of recipients of public assistance from the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Senate on May 15, 1951, after the period, insert "The county granting the aid shall make inquiry from such persons as to their intent to remain residents of California or to become residents of another state, and shall redetermine the residence of such persons for purposes of this chapter. In any case where the inquiry made under this section establishes that the recipient is no longer a resident of this State, his aid shall be terminated immediately."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1576—An act to add Article 12.5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to add Article 7, comprising

Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302.3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302 5, 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the blind, to provide for orientation centers and California Industries for the Blind and for state purchase of products made in institutions for the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Senate on May 8, 1951, strike out "3330,".

Amendment No. 2

On page 2, line 37, of said bill, after "Education", insert "with the approval of the State Personnel Board".

Amendment No. 3

On page 5 of said bill, strike out lines 35 to 48, inclusive; and in line 49, strike out "SEC. 13", and insert
"SEC. 12".

Amendment No. 4

On page 6, line 2, of said bill, strike out "California Industries", and insert "Workshops".

Amendment No. 5

On page 6 of said bill, strike out lines 4 to 36, inclusive; and in line 37, strike out "SEC. 15", and insert
"SEC. 13".

Amendment No. 6

On page 6, line 43, of said bill, strike out "16", and insert "14".

Amendment No. 7

On page 7, line 1, of said bill, strike out "17", and insert "15".

Amendment No. 8

On page 7, line 29, of said bill, strike out "18", and insert "16".

Amendments read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert "for the needs of applicants and the safeguarding of public funds."

Amendment read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1240?

Amendment No. 1

On page 2 of the printed bill, after line 6, insert

"(o) The fee for an electrology instructor's examination is fifteen dollars ($15)

Sec. subdivisions (g), (h), (j), and (l) of Section 15 of this act shall become effective January 1, 1952."

Amendment No. 2

On page 2 of the printed bill, as amended in the Senate on May 18, 1951, strike out line 9, and insert

"SEC 2. The amendments to subdivision (g), (h), (j), and (l) of Section 7442 of the Business and Professions Code made by Section 1".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1240 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Chapel, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1240 ordered enrolled.

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1243?

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "authorized by this part".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1243 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1243 ordered enrolled.

Assembly Bill No. 1891—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402.1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating

to sites for public schools, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1891?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 13, 1951, strike out lines 14 to 17, inclusive, and insert

"18478 Except as otherwise provided, and in high school districts with more than 60,000 average daily attendance, no change of location of any high school where once established, shall be made except upon a petition to the superintendent of schools who has jurisdiction of the high school district, signed by two-thirds of the electors of the district, and then only upon the affirmative votes of two-thirds of the qualified electors of the district voting at an election called by the superintendent of schools for that purpose

The election shall be called and held, and the returns thereof made to the superintendent of schools, in the same manner as in the case of the election for the formation of the district."

Amendment No. 2

On page 1, line 18, of the printed bill, as amended in the Senate on May 14, 1951, after "and", insert "except".

Amendment No. 3

On page 1, line 14, of the printed bill, as amended in the Senate on May 17, 1951, strike out "as otherwise provided, and except"

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 17 to 19, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert "shall be made except in accordance with the provisions for the original location of the school."

Amendment No. 5

On page 2, line 23, of said bill, as amended, strike out "18424", and insert "18472".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1891 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Tomlinson—55.

NOES—None.

Assembly Bill No. 1891 ordered enrolled.

Assembly Bill No. 2085—An act to amend Section 6028.1 of, and to add Section 6028 11 to, the Penal Code, relating to Special Crime Study Commissions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2085?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly April 6, 1951, after "it.", insert "In the exercise of its powers the commission shall be subject to the following conditions and limitations:

(a) A witness at any hearing shall have the right to have present at such hearing counsel of his own choice, for the purpose of advising him concerning his constitutional rights

(b) No hearing shall be televised or broadcast by radio, nor shall any mechanical, photographic or electronic record of the proceedings at any hearing be televised or broadcast by radio."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2085 by the following vote:

AYES—Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Tomlinson, and Mr Speaker—54.
NOES—Elliott—1.

Assembly Bill No. 2085 ordered enrolled.

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2128?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 20, 1951, after the period, insert "The percentage of domestic vegetable oils may be stated in the aggregate of all types of such oil. The provisions of this section shall become operative January 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 2128 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 2128 ordered enrolled.

Assembly Bill No. 2623—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2623?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 29, 1951, after "may", insert ", with the approval of the Department of Finance,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2623 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 2623 ordered enrolled.

Assembly Bill No. 3280—An act to amend Section 681 of the Vehicle Code, relating to the use of sirens and red lights by privately owned armored cars.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3280?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "must be disconnected and the red lights unlighted", and insert "shall not be sounded and the red lights shall not be lighted".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3280 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Leverling, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—56.

NOES—Beck—1.

Assembly Bill No. 3280 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 340

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up the consideration of Senate amendments to Assembly Bill No 340, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 340?

Amendment No. 1

On page 70, line 3, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "no longer", and insert "not".

Amendment No. 2

On page 71, line 47, of said bill, strike out "the incorporated", and insert "any incorporated."

Amendment No. 3

On page 58, line 13, of the printed bill, as amended in the Assembly on May 3, 1951, after "usefulness", insert ", and shall comply with all lawful rules and regulations of the owner or agency in charge thereof".

Amendment No. 4

On page 58, line 24, of said bill, as amended, after "State", insert ", except that where such land is already devoted to public use, any expense necessary to permit the joint use of such land shall be borne by the district".

Amendment No. 5

On page 70 of the printed bill, as amended in the Senate on May 18, 1951, after the period in line 25, insert "In making a determination upon any such petition for exclusion of lands the State Engineer shall exercise his own independent judgment as to whether the lands described in the petition for exclusion will be substantially benefited by remaining in the district, and the State Engineer shall not be bound by the findings of the Legislature in this act with respect thereto."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 340 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Conrad, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr Speaker—49.

NOES—Beck, George D. Collins, Condon, Davis, Elliott, and Henderson—6.

Assembly Bill No. 340 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by disabled veterans from the motor vehicle license fee;

Assembly Bill No. 383—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees;

Assembly Bill No. 489—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 549—An act to amend Sections 35147, 35148, 35149, and 35150 of the Government Code, relating to annexation;

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300 16, 1300 17, and 1300 19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 599—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles;

Assembly Bill No. 950—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment;

Assembly Bill No. 1074—An act to add Section 39.3 to the Fish and Game Code, relating to hunting and fishing seasons,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1098—An act to amend Section 14549 of the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1192—An act to repeal Section 89 of the Code of Civil Procedure as amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts;

Assembly Bill No. 1241—An act to amend Sections 18532, 18537, 18544, 18803, 18903, 18950, 19054, 19100, 19120, 19503, 19570, 19572, 19575, 19582, to add Sections 18532.1 and 19082 and to repeal Sections 18598 and 18599 of the Government Code, relating to state employment and disciplinary proceedings,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1245—An act to amend Sections 18021, 18573, 18854, 18859, and 19538 of the Government Code, relating to salaries of state employees;

Assembly Bill No. 1609—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission;

Assembly Bill No. 1645—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches;

Assembly Bill No. 1650—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment;

Assembly Bill No. 1773—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103l, 103m, 103n, 103½, 103¾, 104, 107, 110 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1869—An act to amend Section 1191 of the Penal Code, relating to judgments;

Assembly Bill No. 1940—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions;

Assembly Bill No. 1990—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of, and to add Section 6019 to, the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2763—An act to amend Section 58 of the Agricultural Code, relating to agriculture;

Assembly Bill No. 3372—An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers;

Assembly Bill No. 3416—An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 33—Relating to the completion of the San Diego Aqueduct;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 57—Relative to congratulating the University of San Francisco for establishment of a compulsory course in the evils of Communism;

Assembly Concurrent Resolution No. 61—Approving amendments to the charter of the City of Redondo Beach, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of May, 1951, at 1 p.m.

BURKE, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 72
Senate Bill No. 267

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 765
Assembly Bill No. 1903
Assembly Bill No. 2281

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2286
Assembly Bill No. 3090

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1563

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 15
Assembly Bill No. 593

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 71

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion That Consideration of Assembly Bill No. 302 Be Postponed

Mr. Beck moved that consideration of Assembly Bill No. 302 be postponed until the next legislative day.

Mr. Doyle seconded the motion.

Motion lost.

The question being on the passage of Assembly Bill No. 302.

Assembly Bill No. 302 ordered passed on file, at this time.

Assembly Bill No. 3428—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers' licenses.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried Time, 10.30 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Evans, Grant, Gubser, Hagen, Hawkins, Henderson, Kirkwood, Lanterman, Lowrey, Moss, Munnell, Rosenthal, Rumford, and Silliman—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 154

Relative to the study of structural pest control

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, created at this session, is hereby authorized and directed to ascertain, study and analyze all facts relating to the Structural Pest Control Act and all matters pertaining to structural pest control contained in Assembly Bills 895 and 896 of this session, including but not limited to the relationship between the structural control operator, the real estate broker, the lending institution, and the Structural Pest Control Board, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 66: By Messrs. Lyon, Dickey, and Hollibaugh—Relative to the declaration of August 16, 1951, as Loyal Order of Moose Day in California.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 872

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 869

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 1937
Assembly Bill No. 2570
Assembly Bill No. 2571

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 58
Senate Bill No. 284
Senate Bill No. 301
Senate Bill No 644
Senate Bill No. 942
Senate Bill No. 1077

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 2188
Assembly Bill No. 3188

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2929

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER Your Committee on Education, to which was referred:

Senate Bill No 465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER Your Committee on Education, to which were referred.

Assembly Bill No 827
Assembly Bill No. 1695
Assembly Bill No 3422

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No 1579
Assembly Bill No 2252
Assembly Bill No 3318
Assembly Bill No 3437
Assembly Bill No. 2894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER Your Committee on Public Health, to which was referred.

Assembly Bill No 3183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2577—An act to amend Section 20045 of the Water Code, relating to certification of bond issues

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

BIRTHDAY WISHES EXTENDED

Speaker pro Tempore Maloney announced that yesterday was the birthday of Mr. Connolly, and extended belated but sincere birthday wishes to Mr. Connolly, on behalf of all Members of the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 37
Assembly Joint Resolution No. 38

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 65

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2474

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 36—Relative to prohibiting payment of federal public funds to certain persons.

Resolution read.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Levering has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Levering Be Granted Additional Time

Mr. Cooke moved that Mr. Levering be granted additional time, for the purpose of answering questions.

Mr. Hinckley seconded the motion.

Motion carried.

The question being on the adoption of Assembly Joint Resolution No. 36.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Chapel, Clarke, Cloyed, Connolly, Dickey, Hollibaugh, Lanterman, Levering, Luckel, Niehouse, and Tomlinson—11

NOES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, and Stanley—43.

REQUEST FOR UNANIMOUS CONSENT

Mr. Henderson asked for, and was granted, unanimous consent to take up House Resolution No. 153, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 153

By Mr. Henderson:

House Resolution No. 153

Relating to the celebration of the One Thousand Five Hundredth Anniversary of the Battle of Avarair

WHEREAS, May 26, 1951 is the One Thousand Five Hundredth Anniversary of the Battle of Avarair, in which the great Armenian general Vartan Mamikonian was stricken down in combat while leading his fellow Christians against the Persians in this great battle for religious freedom; and

WHEREAS, Said Battle of Avarair and the martyrdom of Vartan Mamikonian were the constant inspiration to the Armenian people to continue their fight for religious freedom and Christianity, which endeavor finally achieved success in 484 A.D.; and

WHEREAS, This One Thousand Five Hundredth Anniversary of the Battle of Avarair will be celebrated by Americans of Armenian descent in commemoration of this great triumph for religious freedom and Christianity; now, therefore, be it

Resolved by Assembly of the State of California, That on this significant celebration of the anniversary of the Battle of Avarair that all Americans of Armenian descent are hereby congratulated and commended for their observance of this great event; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for transmittal to the proper persons engaged in forwarding the observance of this historic event.

Resolution read, and adopted unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2081

At 11 a.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2081 passed by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—42.

NOES—Beck, Berry, Brady, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dunn, Elliott, Gaffney, Hagen, Hahn, Hollibaugh, Levering, McMillan, Munnell, Parker, Porter, and Sherwin—24.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1689, on motion of Mr. Kirkwood.

Assembly Bill No. 2474, on motion of Mr. Burkhalter.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 516—An act to amend Section 5050.5 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Arthur H. Connolly, Jr., Presiding

At 11.07 a.m., Hon. Arthur H. Connolly, Member of the Assembly from the Twenty-first District, presiding.

Assembly Bill No. 519—An act to amend Section 1198 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3410, on request of Mr. Geddes.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan,

Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—69
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—62
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, 28014 and to add Section 28000½ to the Health and Safety Code, relating to horse, mule and/or burro meat and their by-products and animal food.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Waters—59.
NOES—Brady—1.

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 1144

Had I had in my binder the correctly amended bill, as amended May 17, 1951, I should have voted "AYE." The bill in my binder was the one as amended May 3, 1951, which contained in my estimation a very improper provision. This latter was amended out by the latest amendment.

BERNARD R. BRADY

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1730
Assembly Bill No. 1731

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1085

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 353

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 435

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No 1250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1226
Assembly Bill No. 1229
Assembly Bill No. 1231
Assembly Bill No. 1233
Assembly Bill No. 1237
Assembly Bill No. 1238
Assembly Bill No. 1239

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1230
Assembly Bill No. 1232
Assembly Bill No. 1236
Assembly Bill No. 2449
Assembly Bill No. 2801
Assembly Bill No. 1228

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 1659
Senate Bill No. 1660
Senate Bill No. 1661

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No. 2898

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2631

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1234
Assembly Bill No. 1235
Assembly Bill No. 1526
Assembly Bill No 2806
Assembly Bill No. 3213

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No 165
Senate Bill No. 242
Senate Bill No. 626
Senate Bill No. 1662

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 2496

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER. Your Committee on Public Health, to which was referred:

Assembly Bill No. 2331

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3254—An act to add Section 48.5 to the Fish and Game Code, relating to access to public hunting and fishing grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister,

McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—60.
NOES—Erwin and Hinckley—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532 5 to, the Elections Code, relating to purity of elections

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Munnell, Parker, Rumford, Tomlinson, and Waters—42.
NOES—Brady, Burke, Burkhalter, Lyon, and Stewart—5.

Notice of Motion to Reconsider Assembly Bill No. 3159

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3159 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, and amend Section 26822 of the Government Code, relating to transfer fees in court proceedings;

Assembly Bill No. 94—An act to amend Sections 32127 and 32130 of the Health and Safety Code, relating to hospital districts;

Assembly Bill No. 694—An act to add Section 2810 to the Streets and Highways Code, relating to proceedings for the construction of sidewalks and the levy of special assessments;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 753—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work;

Assembly Bill No. 912—An act to amend Section 11789 of the Insurance Code, relating to the State Compensation Insurance Fund,

Assembly Bill No. 978—An act to add Section 3760 to the Labor Code, relating to workmen's compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1649—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements,

Assembly Bill No. 1670—An act to amend Section 5565 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine;

Assembly Bill No. 1739—An act to amend the title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code, and to amend Sections 20034, 20036, 20061, 20062, and 20065 of the Health and Safety Code, and to repeal Sections 20035 and 20037 of the Health and Safety Code, and to add Articles 2 5 and 2 6 to Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2127—An act to amend Section 639 of, the Agricultural Code, relating to milk and milk products;

Assembly Bill No. 2133—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to the practice of architecture;

Assembly Bill No. 2282—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2730—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions;

Assembly Bill No. 2764—An act to amend Section 87 of the Agricultural Code, relating to boards of directors of agricultural fairs;

Assembly Bill No. 2892—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3323, on request of Mr McCarthy.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2601 HOLD PLACE ON FILE

Mr. Cooke asked for, and was granted, unanimous consent that Assembly Bill No. 2601 be passed on file, and hold its place on file on the next legislative day.

EXPLANATION OF ABSENCE OF MEMBERS

Mr. Beck announced that for the past 30 minutes he, and Messrs. Moss and Evans, have been attending a meeting in the Senate, and requested that said absence be noted in the Journal.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2880—An act to amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38 2, 39, 55.7, 59 and 59 5 of and to add Sections 53.4 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read third time.

Motion to Amend

Mr. Collier moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 50, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "or off-".

Amendment No. 2

On page 7, line 2, of said bill, after "day," insert "or off-sale licensee who sells, gives, or delivers to any person any alcoholic beverage except between the hours of 10 o'clock a.m and 8 o'clock p m. of the same day,"

Amendments read.

Roll Call Demanded

Messrs. Collier, Lanterman, and Conrad demanded a roll call.

The roll was called, and the amendments offered by Mr. Collier to Assembly Bill No. 2880 adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dunn, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McFall, Meyers, Morris, Moss, Munnell, Parker, Shaw, and Stanley—36.

NOES—Brady, Cloyed, Crowley, Dickey, Dills, Doyle, Evans, Henderson, Hollibaugh, Lyon, Maloney, McCollister, and McMillan—13.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2064, on motion of Mr. Kirkwood.

Hon. Richard H. McCollister Presiding

At 11.40 a m , Hon Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 987

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 987, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 987

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 987:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 987, "An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Public Utilities Commission, local utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I therefore recommend consideration of Senate Bill No 987 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Senate Bill No. 987—An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Pubile Utilities Commission, local

utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 988

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 988, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 988

Senate Bill No. 988—An act to amend Sections 6231 and 6264 of the Public Utilities Code, relating to local franchises for public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 218—An act to amend Section 6518 of the Health and Safety Code, relating to the laying of sewers and drains in public streets and roads by sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 67: By Messrs. Dunn, Geddes, and Kirkwood—Relative to the creation of the Joint Interim Committee on Public Education.

Referred to Committee on Rules.

Assembly Joint Resolution No. 39: By Messrs. Hahn, Morris, Rosenthal, Beck, Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Connolly, Cooke, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Kirkwood, Lindsay, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Stanley, and Stewart—Relative to the naturalization of alien members of the Armed Forces.

Referred to Committee on Rules.

Speaker Presiding

At 11.50 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 62

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 62, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 62

Senate Concurrent Resolution No. 62—Relative to Reports of the Annual Conventions of the American Legion.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey,

Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 63

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 63, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 63

Senate Concurrent Resolution No. 63—Relative to Reports of the Department Encampments and the Annual Encampments or Conventions of the United Spanish-American War Veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 64

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 64, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 64

Senate Concurrent Resolution No. 64—Relative to the Report of the Annual Convention of the Disabled American Veterans of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 65

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 65, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 65

Senate Concurrent Resolution No. 65—Relative to Reports of the Annual Conventions of the American Veterans of World War II (AMVETS).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 66

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 66, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 66

Senate Concurrent Resolution No. 66—Relative to Reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 8

Mr. Collier asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 8, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 8

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed measure, as amended in the Assembly on May 23, 1951, strike out lines 22 to 24, inclusive.

Amendment No. 2

On page 2, line 25, of said measure, strike out "3", and insert "2".

Amendments read.

Roll Call Demanded

Messrs. Condon, George D. Collins, and Elliott demanded a roll call.

The roll was called, and the amendments offered by Mr. Condon to Senate Joint Resolution No. 8 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Doyle, Dunn, Elliott, Evans, Hagen, Hahn, Hawkins, Henderson, Klocksiem, McCollister, McFall, McMillan, Moss, Munnell, Parker, Rumford, Shaw, and Stanley—25.

NOES—Babbage, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Erwin, Fleury, Geddes, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—36.

The question being on the adoption of Senate Joint Resolution No. 8.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54

NOES—George D. Collins, Condon, Dunn, Elliott, Hagen, Hawkins, Henderson, McMillan, Rosenthal, and Rumford—10.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to treaties, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 21, 1951

Honorable Arthur W. Coats, Jr.
Assembly Chamber

TREATIES—No. 8652

DEAR MR. COATS:

Question

You have asked the following questions:

1. Could the President and the Senate of the United States through the exercise of the treaty-making power make a fundamental change in the constitutional structure of the Government of the United States; i.e. could they abolish the House of Representatives or suspend the "due process" clause of the 14th Amendment of the Federal Constitution?

2. What is the jurisdiction of the United States Supreme Court with regard to the validity of treaties? Could the Supreme Court, for instance, rule that a treaty directed at the abolition of the House of

Representatives or the suspension of the "due process" clause was unconstitutional and should not be respected either by the Federal or State Governments?

Opinion

It is our opinion that:

1. The President and Senate of the United States could not by treaty make a fundamental change in the constitutional structure of the Government of the United States.

2. The Supreme Court has the power to rule such treaties invalid. However, it is possible that the Supreme Court would refuse to entertain jurisdiction on the ground that the question of the validity of a treaty was political in nature.

Analysis

With respect to the treaty-making powers, the Constitution of the United States declares that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur;"[1] also, that "no State shall enter into any Treaty, Alliance, or Confederation;"[2] and that "no State shall, without the Consent of Congress * * * enter into any Agreement or Compact with another State, or with a foreign Power."[3] It is announced that "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."[4]

The extent of the treaty-making power in the United States has never been clearly defined. As the language of the Constitution in this respect is general, any limitations now existing in the treaty-making power have developed by means of judicial interpretation.

In *Doe, ex. dem Clark* vs. *Braden* (1853), 16 How, 635, the United States Supreme Court held that no court may annul or disregard any of the provisions of a treaty unless they violate the Constitution of the United States.

In *De Geofroy* vs. *Riggs* (1890), 133 U.S. 258, 267, Justice Field defined the power as follows:

> "The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the actions of the government or of its departments, and those arising from the nature of the government itself and that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent . . . But with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country."

[1] Art II, Section 2, paragraph 2
[2] Art I, Section 10, paragraph 1.
[3] Art. I, Section 10, paragraph 3.
[4] Art. VI, paragraph 2

(See also *Cherokee Tobacco* vs *United States* (1870), 11 Wall. 616, 620; *Holden* vs. *Joy* (1871), 17 Wall. 211, 243; *Asakura* vs. *Seattle* (1924), 265 U S. 332, 341.)

In view of the above cases, we are of the opinion that a treaty to make a fundamental change in the constitutional structure of the government would be invalid.

Whether the Supreme Court of the United States would entertain jurisdiction to hold such a treaty invalid is a more difficult question.

In this connection, it is interesting to note that the Supreme Court has never expressly declared a treaty invalid, although a lower Federal court has stated:

> "While this court is of the opinion that the power to declare treaties void, if clearly violative of some provision of the Constitution or for reason mentioned in *Geofroy* vs. *Riggs* exists, it should, in the language of Mr. Justice Chase, in *Ware* vs. *Hylton*, 'never be exercised but in a very clear case indeed.'" (*United States* vs. *Thompson* (1919), 258 Fed. 257, 268.)

Nevertheless, the United States Supreme Court has recently cast some doubt on its ability to declare a treaty invalid, and it is possible that it may now refuse to do so on the ground that such a decision would involve a political question beyond its jurisdiction to decide. (*United States* vs. *Curtiss-Wright Export Corp.* (1936), 299 U. S. 304 See also *United States* vs. *Reid* (1934), 73 F. (2d) 153.)

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By DELBERT E. WONG, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3109

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

DUNN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1879 AND RE-REFER TO COMMITTEE

Mr. Stewart asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, May 1st, passed Assembly Bill No. 1879; and that the bill be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1055

Mr. Dunn asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, May 22d, adopted the urgency clause, and passed Senate Bill No. 1055; and that the bill be placed on the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2936

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2936, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2936

Assembly Bill No. 2936—An act to add Section 7.7 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 3 and 4, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "threshing,".

Amendment No. 2

On page 2, line 4, of said bill, after "baling", insert "(subject to the provisions of Section 7.3)".

Amendment No. 3

On page 2, lines 11 and 12, of said bill, strike out ", the threshing of rice and other grains and beans".

Amendment No. 4

On page 2, line 17, of said bill, before "piling", insert "and".

Amendment No. 5

On page 2, line 17, of said bill, strike out ", and"; and strike out all of line 18, and insert a period.

Amendment No. 6

On page 2, line 23, of said bill, after "owner", insert "or".

Amendment No. 7

On page 2, line 23, of said bill, strike out "or operator".

Amendment No. 8

On page 2, line 27, of said bill, after "point", insert "or point of first processing".

Amendment No. 9

On page 2, line 29, of said bill, strike out ", tenant or operator", and insert "or tenant".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 365

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 365, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 365

Senate Bill No. 365—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2018

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2018, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2018

Assembly Bill No. 2018—An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1248 HOLD PLACE ON FILE

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 1248 be passed on file, and hold its place on file on the next legislative day.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 928, on motion of Mr. Geddes.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3345 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3345 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1957
Assembly Bill No. 2464

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3074

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 501
Assembly Bill No. 676
Assembly Bill No. 1071
Assembly Bill No. 1189
Assembly Bill No. 1463
Assembly Bill No. 2339
Assembly Bill No. 2689

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2464 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1071 re-referred to the Committee on Public Utilities and Corporations.

Assembly Bills Nos. 1189 and 1463 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2689 and 2339 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos 501, 676, and 1957 re-referred to the Committee on Finance and Insurance.

Senate Bill No. 372 re-referred to the Committee on Judiciary.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Rules, in Room 319.

At 3 p.m.—

Municipal and County Government, in Room 2170.
Transportation and Commerce, in Room 3184.
Ways and Means, in Room 435.

At 8 p.m.—

Industrial Relations, in Room 432.
Revenue and Taxation, in Room 3184.
Judiciary, in Room 2170.

It was announced that the following committees would hold no meetings:

Civil Service and State Personnel, today.
Industrial Relations, next week.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Walter Wencke of San Diego.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to David Bird and Dean Howell of San Diego.

On request of Mr. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Paris Dills of Compton.

On request of Mrs. Niehouse and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Chris A. Wasem of San Diego.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to John M. Cranston of San Diego and Harold Baker of Chula Vista.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mabel Wakefield, teacher, Mrs. Geo. Harvey, Mrs. Cyril Huff, and Miss Lucille Azevedo, adults, and the following pupils of the Sutter Union School: Rosalie Azevedo, Donna Carriker, Helen De Vita, Minnie Ida Enos, Evelyn Gomes, Audrey Gover, George Harvey, Jr., Albert Huff, Eugene Hylton, Eugene Itogawa, Stanley Kimura, Barbara Kranzler, Rosana Perry, Karen Prestwich, Richard Reynolds, Betty Alexander, Gary Alvernaz, Ronald Andre, Jean Arocan, Gary Artz, Michael Rosa, Gary Silva, Kay Takeuchi, Rosemary Valine, Carol Williams, and Neal Wood.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fern Fritter and Mrs. Katherine Cushing, teachers, and the following pupils of the Beamer Park School: Carolyn Bilyou, Margie Bishop, Barbara Bridewell, Mary Brown, Dolores Davalos, Gloria Davalos, Sharon Downey, Jackie Gray, Nancy Johnson, Elizabeth Lindsay, Bonnie Marks, Jennie Milberg, Romanie Morse, Erlinda Olvera, Linda Rademaker, Margaret Sandoval, Judith Snyder, Kathleen Tipaldo, Helen Torres, Donna Wade, Diane Wolfinbarger, Elisa Baca, Sandra Billings, Paula Cruson, Lidia Duntsch, Gloria Estrada, Marlene Farnham, Mary Frescas, Penny Godfrey, Janet Hatcher, Brenda Joy, Susan Laughlin, Barbara Moody, Sandra Mulcahy, Jane Nichols, Ramona Rosas, Ruby Rutledge, Terry Tadlock, Mary Lynn Vaughn, Caroline Warren, Nancy Watts, Carol Reeder, Ella Mae Boone, Robert Brown, Kenneth Gabbard, Max Hansen, Don Hiddleson, Richard Hennigan, Kay Jew, Thad McKinney, Rex Patterson, Roger Post, Bobby Rutledge, George Sandoval, Tommy Shinn, Eugene Soulier, Donald Yee, Kenneth Bailey, Thomas Bauer, Ray Dean Edwards, Tommy Harling, Larry Highfill, Ruben Kiehn, David Kindelt, Robert Leishman, John Linder, Billy Lucas, Richard McGinnis, Andy Montoya, Dan Rodriquez, Jacob Schafer.

On request of Mrs. Niehouse and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Charles Cameron, Sr., Charles Cameron, Jr., and Henry Ault of San Diego.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Arden School: Robert Burkhart, Jerry Clark, Peggy Coffer, Dolores Cox, Robert DeMerritt, Robert Dreman, William Emmons, Sue Feil, William Fife, Patty Foster, Alan Gallaway, Tom Graham, Robert Hamilton, Sandra Hamilton, Judy Harvey, George Kayser, James Lewis, Robert Lewis, Joann Mazonni, Deanne Meinzer, Charles McCorkle, Allen McKellips, Verne McNew, Arlene Mickel, Valerie Nelson, Harry Palkman, George Payne, Connie Patitucci, Yvonne Royal, Jay Robinson, Pat Sewall, Scott Simpson, Rowena Smart, Victor Spahn, Jerry Straw, Timmons Gary, Richard Welsh, Lito White, Wallace Young, Roy Barsdale, Bobby Berbles, Mike Chapman, Cordero Patrick, Roy Crenshaw, Bill Ferguson, Robert Fryling, Dick Hambo, Niall Holdredge, Robert Howe, Duane Marron, Douglas McGregor, Robert Mickel, John Moulds, Tod Morrison, Jim Mielson, David O'Donnell, Ted Pope, Robert Shaffer, Jim Schulter, Wesley Silverthorne, Ted Spranger, Alan Tibbadeaux, Roger Young, Tony Townsend, Mary Lou Argante, Barbara Bachtold, Bernice Burns, Charlene Chambers, Janice Kohl, Susan Longfellow, Barbara MacAuley, Patty McBroom, Musa Mae McMahon, Mary Jo Miller, Jean Padovan, Anne Spranger, and Betty Lee Wood.

On request of Messrs. McFall, Parker, and Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Lenore Huff, teacher, Mrs. Herschel Mason, and Mrs. Earl Johnson, adults, and the following pupils of the Needham School: Beverly Johnson, Donald Cook, Charles Heller, Loren Eakles, Walter Parkis, Ina Kay Gardenhire, Larry Wyatt, Judy McLane, Judy Halstead, Larry Pool, Amy Miura, Carol Lynn Mason, Dolores Barnes, Louise Gundershang, Rita Erlenbusch, Sharon Klinger, Frank Chandler, James Holmes, Leonard Berg, Douglas Reimche, Richard Bekedam, Marilyn Tully, Janice Fandrich, Delmer Almer, James Gustres, Arle Ahl, Michael Harmon, Monte Bouer, Ronald Reynolds, Claudine Walker, Jo Ann Kreis, Darryl Bitterman, and Bill Schmidke.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Daphne Cunynghame, Parliamentary Historical Secretary on Anthony Eden's Staff, London, England.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Elizabeth Coppin, teacher, and the following pupils of the Marshall School: Douglas Powers, Harvard Robinson, Diane Smart, Marialyce Smith, Robert Scofield, Rod Steely, James Tashjian, Walter Trimble, Stanton Gillon, Susan Arnold, Jon Christensen, Gary Curtis, Wayne Culp, Tommy Eaks, Douglas Fuller, Russell Foster, John Gunter, Donna Hill, Emily Van Dyke, Virginia Wright, Odette Goldsmith, Dennis Osborn, James Miller, Marilyn Duncan, Barry Goldberg, Martin Grinsberg, and Gwendolyn Patterson.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Ngai Ho Hong of San Francisco.

ADJOURNMENT

At 12 22 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 25, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY

NINETY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 25, 1951

The Assembly met at 9 30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chape Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A Kircher:

O God, Thou Great Unseen Spirit, Eternal and majestic, Ruler of the heavens and the earth, before whom a thousand years pass as a watch in the night, yet who art mindful of the sparrow that falleth, and the cup of cold water given to one in need, make temples of our hearts we pray Grant us that inward peace that will sustain us in every difficult task. May we never permit our consciences to be dulled or our affections chilled should the lamp of understanding grow dim Feed the inner eye with the constant vision of that which is pure and beautiful.

Bless our families and our loved ones

"Lord Jesus, make Thyself to me
A living, bright reality;
More present to faith's vision keen
Than any outward object seen;
More dear, more intimately nigh
Than e'en the sweetest earthly tie."

We pray in Jesus' name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Belotti, on motion of Mr. Parker.
Mr. Stanley, on motion of Mr. Babbage.
Mr. McGee, on motion of Mr. Morris.
Mr. Silliman, on motion of Mr. Hansen.
Mr. Erwin, on motion of Mr. Hinckley.
Mr. Grunsky, on motion of Mr. Hansen.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1534
Assembly Bill No. 1954
Assembly Bill No. 2880
Assembly Bill No. 2936

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 206
Assembly Bill No. 1967

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MORRIS, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3434

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and re-refer to the Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1507
Assembly Bill No. 3205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 122
Assembly Bill No. 2214

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 2464

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 154

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2922

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1501

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2022

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3006

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred

Assembly Bill No. 2299
Assembly Bill No. 2573

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3440

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1065

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No 1109

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HAHN, Vice Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 913

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER Your Committee on Judiciary, to which was referred.

Senate Bill No. 1633

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 710

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3321
Assembly Bill No. 3431

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 894

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 357
Assembly Bill No. 1985

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 144
Assembly Bill No. 707
Assembly Bill No. 986
Assembly Bill No. 1970
Assembly Bill No. 2095
Assembly Bill No. 2096
Assembly Bill No. 2097
Assembly Bill No. 2575
Assembly Bill No. 3384

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 53

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1644

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 137
Assembly Bill No. 139
Assembly Bill No. 207
Assembly Bill No. 208
Assembly Bill No. 209
Assembly Bill No. 229
Assembly Bill No. 1011
Assembly Bill No. 1012
Assembly Bill No. 1013
Assembly Bill No. 1041
Assembly Bill No. 1270
Assembly Bill No. 1272
Assembly Bill No. 1273
Assembly Bill No. 1361
Assembly Bill No. 1619
Assembly Bill No. 1620
Assembly Bill No. 1997
Assembly Bill No. 3031

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 295
Senate Bill No. 1200

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 295—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 1200—An act to amend Sections 1502.5, 1509.7, 1509.9, 1513, 1518.2, 1535.3, 1541, 1560, 1562, 1571, 1581, 1586, 1587, and to repeal Article 10.5, comprising Sections 1595 to 1598, inclusive, of, and to add Sections 1505.5, 1535.7, 1542, and 1585 to, the Military and Veterans Code, and to amend Section 8.5 of the Civil Defense Act of 1950, relating to civil defense, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1937—An act to amend Section 5032 of the Education Code, relating to state school building aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2571—An act to amend Sections 13204.1, and 14495.1 of the Education Code, relating to certificated employees in military service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1226—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1231—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1233—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1237—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1238—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1239—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 15—An act to amend Sections 441, 445, and 451 of the Education Code, relating to compensation for public service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "_____ dollars ($_____)", and insert "four thousand eight hundred dollars ($4,800)".

Amendment No. 2

On page 2, line 21, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand eight hundred dollars ($4,800)".

Amendment No. 3

On page 2, line 26, of said bill, after "superintendent", insert "of".

Amendment No. 4

On page 2, line 28, of said bill, strike out "_____ dollars ($_____)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 593—An act to amend Section 28134 of the Government Code, relating to compensation for public services in counties of the thirty-fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 18, 1951, after "Code", insert "and Section 434 of the Education Code".

Amendment No. 2

On page 2, line 12, of said bill, strike out "three dollars ($3)", and insert "six dollars ($6)".

Amendment No. 3

On page 2, line 17, of said bill, strike out "six cents ($0.06)", and insert "eight cents ($0.08)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, between lines 42 and 43, insert

"SEC. 3. Section 434 of the Education Code is amended to read

434. The annual salary of the county superintendent of schools of a county of the thirty-fourth class is [four thousand eight hundred dollars ($4,800)] *six thousand dollars ($6,000)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 22, of the printed bill as amended in the Assembly on May 11, 1951, strike out "4907", and insert "4902".

Amendment No. 2

On page 2 of said bill, strike out lines 44 to 47, inclusive, and insert "makes such determination and notifies the county superintendent of schools whose duty it is under Education Code Section 4912 to call the election provided for in said section prior to the date he calls the election, the county superintendent of schools shall".

Amendment No. 3

On page 3, line 23, of said bill, before the period, insert "or whenever the State Board of Education notifies the county superintendent of schools of its approval of plans and recommendations of a county committee pursuant to Section 4911.1"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 827—An act to add Section 20345.5 to the Education Code, relating to membership in, and the payment of fees of, student body organizations established in state colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body organizations established in state colleges, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 20345.5 is added to said code, to read:

20345.5. A student body organization may be established at any state college under the supervision of the college officials for the purpose of providing essential activities closely related to, but not normally included as a part of, the regular instructional program of the college. The activities conducted by such an organization shall be designed to contribute to the development of skill and facility in human relations, the development of leadership ability, and the recreational and social needs of students. The activities may include but shall not be limited to the operation of campus publications, musical organizations, speech and dramatics activities, student government activities, intramural and intercollegiate sports, and the sponsorship of clubs and organizations which are designed for students specializing in various major subject matter areas offered by the college. Such an organization may also operate a campus store, a cafeteria, and other projects not inconsistent with the purposes of the college.

Notwithstanding any provisions of law to the contrary, if a student body organization is established at any state college and upon the favorable vote of two-thirds of the students voting in an election held for this purpose, in such manner as the Director of Education shall prescribe, and open to all regular students enrolled in such college, the State Director of Education shall fix a membership fee which shall be required of all regular students attending such college. This required fee may be subject to referendum at any time upon the presentation of a petition to the president of the college containing the signatures of 35 percent of the regularly enrolled students at such college. A successful referendum shall take effect with the beginning of the academic year following that in which the election was held. The director may also fix student body organization membership fees for limited and summer session students attending such college. Such fees shall not be charged to students registering solely in extension classes offered by the college. Each state college student shall pay the required membership fee as a prerequisite to enrollment in the college. No student shall be required to pay student body membership fees in an aggregate amount exceeding twenty dollars ($20) annually. The provisions of this section shall apply to any vote held during the spring semester of the 1950-51 school year.

SEC. 2. Section 20345.6 is added to said code, to read:

20345.6. Notwithstanding any provision of law to the contrary, student body organization membership fees authorized under the provisions of Section 20345.5 hereof shall be collected by the officials of the college, together with all tuition and material and service fees, at the time of registration. Moneys collected on behalf of student body organizations shall be transmitted by the business manager to the student body treasurer and such moneys may be deposited by said treasurer in local bank accounts under the jurisdiction of the student body organization.

All moneys received by a state college from any agency of the State or Federal Government for the payment of student body organizations membership fees of students attending the college shall be in a like manner transmitted by the business manager to the treasurer of the student body organization and deposited in local bank accounts as provided above.

SEC. 3. Section 20345.7 is added to said code, to read:

20345.7. All moneys collected by a state college on behalf of a student body organization under the provisions of this article shall be available for such purposes of the student body organization as are approved by the State Director of Education. These funds may be drawn against by the appropriate officers of the student body organization for expenditures necessary to carry out the purpose of the organization.

SEC. 4. Section 20345.8 is added to said code, to read:

20345.8. Any student whose financial need is reasonably demonstrated to the dean of student personnel of such college shall either be refunded the amount of the membership fee from the student welfare fund or, at the discretion of such dean, shall be given the opportunity to work off this sum at the prevailing student rate of such college.

SEC. 5. This act shall be in operation on September 1, 1951.

SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Unless student body organization fees are required by a college, the veteran student does not receive the amount of the fees in the education aid which the Federal Government extends to veterans. There are many veterans enrolled in state colleges who are financially unable to pay such fees unless the amount is included in the federal aid; if this act is adopted the Federal Government will pay the fees for such student veterans. Under the existing law, many state colleges will find it necessary to discontinue the student activities which are supported by student body organization fees and which are a necessary and integral part of an adequate program for college education. In order to enable the state colleges to continue the offering of student activities at the commencement of the fall term, it is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1695—An act to add Section 20344.3 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20344.3", and insert "20254".

Amendment No. 2

On page 1, line 1, of said bill, strike out "20344.3", and insert "20254".

Amendment No. 3

On page 1, line 3, of said bill, strike out "20344.3", and insert "20254".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3422—An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "14112, 14114, 14116, 14121", and insert "14116".

Amendment No. 2

In line 2 of the title of said bill, strike out "14136,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 20, inclusive.

Amendment No. 5

On page 2 of said bill, strike out line 21, and insert
"SECTION 1. Section 14116 of the Education Code is amended to read:".

Amendment No. 6

On page 2, line 28, of said bill, strike out "Transfers of employees".

Amendment No. 7

On page 2 of said bill, strike out lines 29 to 42, inclusive.

Amendment No. 8

On page 2, line 43, of said bill, strike out "5", and insert "2".

Amendment No. 9

On page 2, line 49, of said bill, strike out "6", and insert "3".

Amendment No. 10

On page 3 of said bill, strike out lines 4 to 11, inclusive, and insert "sion.
Whenever the commission, after a public hearing, finds that any appointment has been made in violation of this article or the rules of the commission as they apply to examination procedures, the commission may order that no salary warrant shall thereafter be drawn to the employee so appointed, for services rendered after the date of said order. Any violation of this article or the rules of the commission as they apply to examination procedures shall constitute grounds for the dismissal of the employee or employees guilty of such violation."

Amendment No. 11

On page 3, line 12, of said bill, strike out the first "7", and insert "4".

Amendment No. 12

On page 3, line 21, of said bill, strike out the first "8", and insert "5".

Amendment No. 13

On page 3, line 27, of said bill, strike out "9", and insert "6".

Amendment No. 14

On page 3, lines 29 and 30, of said bill, strike out ", or rules of the commission,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1230—An act to amend Sections 9563 and 9566 of the Business and Professions Code, relating to minimum prices in the dry cleaning industry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 12, of the printed bill, after "ship", insert "or a licensed corporation".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "board", insert ", at reasonable hours,".

Amendment No. 2

On page 1, line 8, of said bill, after "ment", strike out "books, papers, records", and insert "sales tickets".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "vehicle,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2449—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 4, inclusive, and insert ", with the approval of the Director of Finance, of certain real property in the County of San Mateo."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. The State Park Commission, with the approval of the Director of Finance, is hereby authorized to grant and convey that certain easement and right of

way heretofore conveyed to the State for use as a riding and hiking trail under, upon, over and across those certain lands in the County of San Mateo described in a deed recorded in Book 1143, page 429, Official Records, San Mateo County, California, in exchange for a similar easement and right of way at a different location across the lands so described."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2801—An act providing for the allocation of the State's share of funds for the construction of a tube under the estuary between Oakland and Alameda.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "a portion", and insert "not less than 50 percent".

Amendment No. 2

On page 1, line 5 of said bill, after "highways", insert "in County Group No 1 as designated in Section 187 of the Streets and Highways Code".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1228—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "financially".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the acquisition, controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 19, line 31, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "secretary", and insert "board"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3109—An act to amend Section 6357 of the Education Code, relating to school district taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6357 of", and insert "add Sections 6360, 6360.1, and 6360.2 to, and repeal Sections 6357 and 6357.1 of,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6360 is added to the Education Code to read:

6360. On or before July 1, 1953, each school district may hold an election for the purpose of setting the maximum rate of school district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for such school district in any school year on each one hundred dollars ($100) of assessed valuation within the district. The election shall be called, held, and conducted in as nearly the same manner as is practicable as are elections for governing boards The governing board of the district shall determine the amount of the proposed maximum tax rate to be voted upon. The ballot used in the election shall contain the words "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective (date of day after election) _____ yes" and "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective (date of day after election), _____ no." Each voter shall stamp or print a cross after the answer he desires to give.

If for any reason a district does not hold the election, the maximum tax rate for the district shall be the maximum tax rate existing on July 1, 1953. If prior to July 1, 1953, the maximum rate for such district had been increased for a prescribed term of years pursuant to an election held under Section 6358, the maximum rate for such district shall be the rate prescribed at such election until the expiration of the term of years prescribed by such election and upon the expiration of such term the maximum rate of tax for such district shall be the rate which the district would have had on July 1, 1953, had such election not been held.

SEC. 2. Section 6360 1 is added to said code to read:

6360.1. The maximum rate of tax for any district may be increased or decreased by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion or may be consolidated with any general election or municipal election for the purpose of increasing the maximum tax rate without regard to a specified term of years The election shall be called, held and conducted in as nearly the same manner as is practicable as are elections for governing boards. The ballot used in the election shall contain the words "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective _____, 19__, _____ yes" and "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective _____, 19__, _____ no." Each voter shall stamp or print a cross after the answer he desires to give

The maximum tax rate may be changed pursuant to this section·

(a) At any time after an election to prescribe a maximum tax rate pursuant to Section 6360, if the school district has held such election.

(b) At any time after July 1, 1953, if the school district has not held such election

SEC. 3. Section 6360 2 is added to said code to read:

6360 2. Any tax rate, authorized to be levied by any other provision of law providing that such rate may be in excess of or in addition to the maximum rate of school district tax, shall not be included in the determination of any maximum tax rate established pursuant to Sections 6360 and 6360 1

SEC 4. Sections 6357 and 6357 1 of said code are hereby repealed

SEC. 5. Section 4 of this act shall not become operative until July 2, 1953"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2286—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "_____", and insert "one thousand eight hundred".

Amendment No. 2

On page 1, line 7, of said bill, strike out "($_____)", and insert "($1,800)".

Amendment No. 3

On page 1 of said bill, strike out line 9, and insert "three thousand six hundred dollars ($3,600) a year."

Amendment No. 4

On page 1, line 10, of said bill, strike out "_____", and insert "one thousand eight hundred".

Amendment No. 5

On page 1, line 11, of said bill, strike out "($_____)", and insert "($1,800)".

Amendment No. 6

On page 1 of said bill, after line 26, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC. 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3090—An act authorizing counties to waive and pledge their share of funds derived from motor vehicle fuel and use taxes; authorizing the State Treasurer to prepare and issue bonds in the amount waived by the counties; and authorizing counties to expend the proceeds raised from the sale of the bonds for the immediate construction or repair of highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out "authorizing counties to waive and pledge their share of funds derived from motor vehicle fuel and use taxes; authorizing", and insert "to add Article 6 to Chapter 1, Division 1, of the Streets and Highways Code, directing".

Amendment No. 2

In line 3 of the title of said bill, after "issue", insert "revenue".

Amendment No. 3

In lines 4 and 5 of the title of said bill, strike out "waived by the counties; and authorizing counties to expend", and insert "needed for immediate state highway construction; authorizing the Director of Finance to determine the revenues which will be available to retire such bonds; authorizing the expenditure of".

Amendment No. 4

In line 6 of the title of said bill, strike out "highways", and insert "state highways; and providing that the act shall take effect upon the adoption of a validating constitutional amendment".

Amendment No. 5

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 6 is added to Chapter 1 of Division 1 of the Streets and Highways Code, to read.

Article 6. Highway Revenue Bonds

220. This article is known and may be cited as the Highway Revenue Bond Law of 1951.

220.01. The commission and the Director of Finance shall compute the minimum amount of funds which are estimated will be made available for expenditure on state highways in each county under Article 5 of this chapter, for a period of 10 years after the effective date of this article.

220.02. The Director of Finance shall notify the State Treasurer of such estimated amounts. The State Treasurer shall arrange for the preparation of the requisite number of suitable revenue bonds of the denomination of one thousand dollars ($1,000). The aggregate par value of the bonds shall not exceed in total the amount of the combined principal, interest, and expenses of preparing, issuing, selling, and retiring the bonds which the estimated available funds would meet the payment of within the period covered in the estimate. Such bonds shall bear interest at a rate of not exceeding 5 percent per annum, as determined by the State Treasurer. Both the principal and interest shall be payable at the office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer.

220.03. All bonds issued under this article shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the bonds shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain. The bonds or coupons so signed, countersigned, endorsed, and sealed, when sold, shall be and constitute a valid and binding obligation upon the State of California, although the sale thereof be made at a date or dates upon which the officers having signed, countersigned, and endorsed said bonds or coupons, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds or coupons.

220.04. The bonds shall be special obligations of the State secured solely by the revenues which are made available for expenditure on state highways from the State Highway Fund pursuant to Article 5 of this chapter.

220.05. Bonds issued pursuant to this article shall mature within 10 years from their date of issuance.

220.06. All bonds, and the interest or income therefrom, issued under the provisions of this article are exempt from all taxation in this State, except from gift, inheritance, and estate taxes.

220.07. Bonds issued under this chapter are legal investments for the funds of

(a) Trusts
(b) Insurance companies
(c) Banks, both commercial and savings
(d) Trust companies
(e) State schools
(f) Any other body whose funds may be invested in bonds of cities, counties, school districts, or irrigation districts within the State of California.

Whenever bonds of cities, counties, school districts, or irrigation districts may be used as security for the performance of any act or the deposit of any public moneys, any bond issued by a county under this chapter may be so used.

220.08 The bonds authorized to be issued under this article shall be sold by the State Treasurer to the highest bidder for cash, either at public sale or upon sealed bids as the State Treasurer determines The State Treasurer must reject any and all bids for said bonds, or any of them, which shall be below the par value of said bonds so offered plus the interest which shall have accrued thereon between the date of purchaser's payment for said bonds and the last preceding interest maturity date; and the Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as the whole of the bonds offered, or any part thereof offered, at such time and place as he may select

Temporary or interim bonds, certificates, or receipts of any denomination whatever and with or without coupons attached thereto, to be signed by the State Treasurer, may be issued and delivered until the definitive bonds are executed and available for delivery. Signature of the State Treasurer may be by signature stamp.

220.09. Due notice of the time and place of sale of all bonds shall be given by said Treasurer by publication in one newspaper published in the City and County of San Francisco and also by publication in one newspaper published in the City of Sacramento and by publication in one newspaper published in the City of Los Angeles once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forthwith paid over by said Treasurer into the State Highway Fund.

220.10 The department may expend immediately such sums as are paid into the State Highway Fund from the proceeds of the sale of the bonds, for the highway purposes specified in Section 188. The department shall expend such amounts in each county according to the percentages specified in subdivisions (b) and (c) of Section 188.4

220.11. The State Treasurer shall pay the principal and interest on said bonds when due, upon warrants drawn against the State Highway Fund by the Controller. There shall be allocated to the payment of the principal, interest and expenses of preparing, issuing, selling, and retiring such bonds, the minimum amounts which would be expended in each county pursuant to Section 188.4, until the bonds are fully retired.

SEC. 2. This act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating, and making fully and completely effective the Highway Revenue Bond Law of 1951."

Amendment No. 6

On page 1 of said bill, strike out lines 2 to 23, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3183—An act to amend Section 4014 of, and add Section 4017 to, the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "Section 4017", and insert "Sections 4017 and 26470.5".

Amendment No. 2

On page 2, line 9, of said bill, strike out "or other materials", and insert "and fluorine compounds".

Amendment No. 3

On page 2 of said bill, between lines 19 and 20, insert

"SEC. 3. Section 26470.5 is added to said code, to read

26470.5 Nothing in this article shall prohibit the adding of fluorine or other materials to water intended for sale to the public as bottled water for domestic use in such manner and to such an extent as may be approved by the state department, provided that the labeling requirements hereinafter set forth in this chapter are met."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 17, 1951, strike out lines 20 to 27, inclusive.

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 1 to 19, inclusive.

Amendment No. 3

On page 2 of said bill, as amended, beginning on line 20, insert

"This chapter does not apply to the sale of any intravenous solution of 150 cubic centimeters or over; cold sterilizing solutions; sterilized sutures; hypodermic needles and syringes; sterile distilled water, United States Pharmacopoeia; sterile normal saline solution; laboratory chemicals and reagents; stains and dyes; chemicals and drugs used as indicators in diagnostic and X-ray examinations; soaps, detergents, and tincture of green soap, United States Pharmacopoeia; medicinal gases; ether, chloroform and ethyl chloride; sulfa creams, ointments, and jellies used for introduction into the vaginal tract; and medicated dressings; where such sale is made to any of the following:

1. A physician, dentist, chiropodist, veterinarian, pharmacist, medical technician or medical technologist holding a currently valid and unrevoked license to practice his profession.

2. A clinic, hospital, institution or establishment holding a currently valid and unrevoked license or permit under Division 2 of the Health and Safety Code, or under Part 3 of Division 2, Chapter 2 of Division 3, or Part 2 of Division 6 of the Welfare and Institutions Code.

3. An exporter for export outside the United States where such drugs, medicines, poisons or chemicals are actually shipped outside the United States."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 3, 1951, after "medication", insert ", except preparations of drugs defined in subdivisions (e), (f), (h), (i), and (*l*) hereof, designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled,".

Amendment No. 2

On page 1, line 18, of said bill, strike out ", and except preparations de-"; and strike out lines 19 and 20, and insert a period.

Amendment No. 3

On page 2, of said bill, strike out lines 4 and 5, and insert "strength."

Amendment No. 4

On page 2 of said bill, strike out lines 12 to 16, inclusive.

Amendment No. 5

On page 2 of said bill, strike out lines 18 to 22, inclusive, and insert

"29003.5. 'Administer', as used in this division, means the furnishing by a physician and surgeon, dentist or chiropodist to his patient of such amount of drugs or medicines referred to in this division as are necessary for the immediate needs of the patient."

Amendment No. 6

On page 3 of said bill, strike out lines 23 to 43, inclusive, and insert

"SEC. 6. Section 29015 is hereby added to the Health and Safety Code, to read:

29015. This division does not apply to or interfere with a physician, dentist, chiropodist or veterinarian who administers hypnotic drugs to his own patients. Such hypnotic drugs shall be administered only by the physician, dentist, chiropodist or veterinarian.

"SEC. 7. Section 29015.1 is hereby added to the Health and Safety Code, to read:

29015.1. This division does not apply to the furnishing or supplying in a licensed hospital by a registered nurse of hypnotic drugs to a registered bed patient in such hospital when the administration of hypnotic drugs has been ordered by the patient's attending physician or dentist.

"SEC. 8. Section 29020 of the Health and Safety Code is amended to read:

29020. No person shall furnish any dangerous drug, other than any hypnotic drug, except upon the prescription of a physician, dentist, chiropodist or veterinarian.

The provisions of this section do not apply to the furnishing of any dangerous drug, other than any hypnotic drug, by a manufacturer or wholesaler or pharmacy to each other or to a physician, dentist, chiropodist or veterinarian or to a laboratory under sales and purchase records that correctly give the date, the names and addresses of the supplier and the buyer, the drug and its quantity.

"No person shall *dispense* any hypnotic drug except upon the prescription of a physician, dentist, chiropodist or veterinarian, or upon the receipt of a properly executed official hypnotic drug purchase order form."

Amendment No. 7

On page 3, line 44, of said bill, strike out "so", and after "administered", insert "by any person exempt under Section 29015".

Amendment No. 8

On page 4, line 1, of said bill, strike out "7", and insert "9"

Amendment No. 9

On page 4, line 2, of said bill, strike out "furnish or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3318—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 13, and 15 of, and by repealing Sections 7 and 8 thereof, and by adding Sections 7 and 8 thereto, relating to the study and practice of chiropractic, said amendments to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "5, 13, and"; strike out all of line 8; and in line 9, strike out "adding Sections 7 and 8 thereto," and insert "3, 5, 7, 10, and 15 thereof,"

Amendment No. 1.5

On page 1, line 5, of said bill, strike out "five", and insert "seven"

Amendment No. 2

On page 1, line 6, of said bill, strike out "each appointed by the Governor", and insert "appointed by the Governor Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom."

Amendment No. 3

On page 1, line 10, of said bill, after "board", insert "first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder No more than two persons shall serve simultaneously as members of said board who are residents of any one count of the State And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board "

Amendment No. 4

On page 2, line 4, of said bill, strike out "shall be a person"; and strike out lines 5 to 17, inclusive, and insert

"Each member of the board, except the secretary, shall receive a per diem of thirty dollars ($30) for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem, traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the State's taxes "

Amendment No. 5

On page 2, line 18, of said bill, insert

"SEC. 1 1 Section 3 of the above act is amended to read as follows:

SEC. 3 The board shall convene within 30 days after the appointment of its members, and shall organize by the election of a president and a vice president to be chosen from the members of the board The board shall fix the salary of the secretary, with the approval of the Director of Finance Thereafter elections of officers shall occur annually at the January meeting of the board A majority of the board shall constitute a quorum

It shall require the affirmative vote of four members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act The secretary shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year."

Amendment No. 6

On page 2, line 25, of said bill, strike out "at least".

Amendment No. 7

On page 2, lines 29 and 30, of said bill, strike out "attesting to", and insert "showing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 2, line 31, of said bill, strike out "pro-"; strike out lines 32 to 51, inclusive; and strike out pages 3 to 8, inclusive, and insert "herein otherwise prescribed, each applicant shall be a graduate of an approved chiropractic school or college which teaches a course of not less than 4,000 hours, extended over a period of four school terms of at least nine months each, and shall present to the board at the time of making such application a diploma from a high school, or proof, satisfactory to the board, of education equivalent in training power to a high school course; and two years of at least 60 semester units of premedical college work, which may be completed in junior college.

Pre-educational requirements do not apply to a licensed chiropractor, or a student matriculated prior to the enactment of this measure.

The schedule of minimum educational requirements to enable any person to practice chiropractic in this State is as follows, except as herein otherwise provided.

Group 1			
Anatomy, including embryology and histology	18	to	20%
Group 2			
Physiology	6	to	7%
Group 3			
Biochemistry, inorganic and organic chemistry	6	to	8%
Group 4			
Pathology and bacteriology	10	to	11%
Group 5			
Pharmacology, including materia medica and toxicology (not less than 160 hours), public health, hygiene and sanitation	7	to	8%
Group 6			
Diagnosis, pediatrics, dermatology, syphilology and psychiatry	11	to	15%
Group 7			
Obstetrics and gynecology	4	to	5%
Group 8			
Principles and practice of chiropractic, physiotherapy and not less than 160 hours of minor or ambulant surgery	25	to	26%
Total	87	to	100%
Electives	13	to	0%

SEC. 3. Section 7 of said act is amended to read:

Sec. 7. [One form of certificate shall be issued by the board of chiropractic examiners, which said certificate shall be designated "License to practice chiropractic," which license shall authorize the holder thereof to practice chiropractic in the State of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry or optometry, nor the use of any drug or medicine now or hereafter included in materia medica.]

Licenses issued; Chiropractic philosophy and practice.

(a) One year after the effective date of this act one form of certificate shall be issued by the Board of Chiropractic Examiners, to be known as the "Chiropractic Physician's Certificate." The chiropractic physician's certificate shall authorize the holder thereof to diagnose and treat diseases, ailments, injuries, deformities, and other physical and mental conditions by any and all means or methods in accord with chiropractic training, philosophy and practice as hereinafter defined.

(b) Any person holding a valid, unrevoked, properly registered certificate or license to practice chiropractic in this State, issued prior to the effective date of this act, who upon submission of satisfactory evidence of having completed a course in minor surgery of not less than 160 hours, and a course in pharmacology including materia medica and toxicology of not less than 160 hours, taken in an approved school, shall be permitted to apply for examination in said subjects upon enactment of this measure, and if successful in passing examinations, shall be issued a chiropractic physician's certificate immediately without being examined in any other subjects.

(c) The holder of a valid unrevoked license to practice chiropractic in the State of California prior to the enactment of this measure shall be authorized to practice chiropractic and other forms of therapy as taught heretofore in chiropractic schools and colleges; and also to use all mechanical, hygienic and sanitary measures incident to the care of the body.

(d) The philosophy of chiropractic is based on the concept that the promotion, maintenance, and restoration of human health is dependent upon establishing conditions which permit the natural and inherent recuperative and compensatory forces, powers, and energies of the human body to attain and perpetuate anatomical, physiological and psychic equilibrium of the entire human organism with special emphasis on the role of the nervous system in accomplishing that end.

(e) The practice of chiropractic includes the study and use of any and all means, methods, preparations and substances, physical, chemical, including pharmaceutical, biological, minor surgical or ambulant surgical, mental or other in or upon human beings in the analysis, correction, and care, which terms, for the purposes of this act, shall encompass such terms as "diagnosis," and "treatment," of those disorders of body structure and function commonly referred to as "diseases," "ailments," "deformities," "blemishes," "disfigurements," and all other physical and mental conditions resulting from any and all causes including trauma.

This statement of the philosophy and practice of chiropractic supersedes and nullifies all other statements of definitions legislated, adjudicated, or otherwise established heretofore.

(f) For the purpose of this act minor surgery or ambulant surgery are those branches of surgery which consist of operative procedures by electrical or other methods, which do not include the opening of the thoracic, abdominal or cranial cavities, or the amputation of limbs.

(g) Wherever any statute of the State of California or ordinance of any county, city, or city and county of the State of California requires that any certificate, order, prescription or other document be signed by a physician, the requirements of such statute shall be deemed to have been met when such certificate, order, prescription or other document is signed by a chiropractic physician.

(h) Nothing in this act or in any other statute or ordinance shall be construed to prohibit the use of any substance, or the use of any method, recommended by the health officials of the State or of any county, city and county, or city of California for the prevention of communicable disease.

SEC. 4. Section 10 of said act is amended to read:

Sec. 10. (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the following grounds, to wit: The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name, or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude [;], habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising *; or unprofessional conduct as the same is defined in the Business and Professions Code; provided, however, that constructive educational publicity shall be permitted*. The proceedings for the refusal to grant, [suspension or revocation of] or the suspension or revocation of a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following. "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

(c) All licenses granted under this act shall be renewed annually.

The issuance of such renewal licenses shall be contingent upon submission of evidence satisfactory to the Board, of the applicant having completed at least 16 hours of post-graduate studies within the previous year.

SEC. 5. Section 15 of said act is amended to read:

Sec 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractic" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who used the word "doctor" *or the word "osteopath,"* or the prefix "Dr" [without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D."] *or the words "doctor of medicine,"* [or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O."] *or "doctor of osteopathy," or the letters "M.D." or "D.O.," or the term "surgeon,"* or any other letters, prefixes or suffixes, [the use of which would] *in such manner as to* indicate that he or she [was] *is* practicing a profession for which he *or she* [held] *holds* no license from the State of California, or any person who shall violate any [of the] provision [s] of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than [fifty dollars] *two hundred dollars ($200)* and not more than [two hundred dollars] *six hundred dollars ($600)*, or [by] imprisonment in the county jail for not less than *30* [thirty] days nor more than *90* [ninety] days, or both.

Immediately after enactment of this measure, seventy-five percent (75%) of the fines imposed or forfeitures of bail collected shall be paid upon collection by the proper officer of the court to the Board of Chiropractic Examiners. Such payment to the board shall be made without placing the fine or forfeiture in any special, contingent, or general fund in any county, city, or township. The balance of twenty-five percent (25%) of such fines or forfeitures shall be paid to the county in which the fine or forfeiture is levied.

Nothing herein, or in any other statute, shall be construed to deny to holders of chiropractic physician licenses the right to use, in connection with their names, the word "Physician" so long as appropriate words, letters, prefixes or suffixes are used in connection therewith to indicate that the holder is licensed as a chiropractic physician.

The employment by a licensee, directly or indirectly, of any suspended practitioner or unlicensed person in the practice of chiropractic, or the aiding or abetting of such person to practice chiropractic is a misdemeanor, punishable as is provided in the Penal Code.

SEC. 6. Sections 1, 2, 3, 4, and 5 of this act shall become effective only when submitted to and approved by the electors, pursuant to Section 1b of Article IV of the Constitution of the State.

SEC. 7. Sections 1, 2, 3, 4, and 5 of this act shall be submitted to the electors for their approval or rejection at the next succeeding general election occurring at any time subsequent to 130 days after this section takes effect, or at any statewide special election which may be called by the Governor, in his discretion, prior to such general election, in the same manner that a constitutional amendment proposed by the Legislature would be submitted, and all of the provisions of law relative to submission of such constitutional amendments to the electors and to matters incidental thereto shall apply to the submission of Sections 1, 2, 3, 4, and 5 of this act, except as otherwise provided in this section or as such provisions may be clearly inapplicable for the submission of an amendment to an initiative measure pursuant to Section 1b of Article IV of the State Constitution."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3437—An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "11612, 11614, 11619," and insert "11621, and".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 11620 and 11621", and insert "Section 11628".

Amendment No. 3

On page 1 of said bill, strike out line 8, and insert

"SEC. 2. Section 11621 of said code is amended to read:

11621. No person claiming a lien pursuant to Chapter 1 of Division 8 of the Vehicle Code, *or regularly and customarily engaged at an established place of business in the business of making loans secured by mortgages on vehicles, or of selling vehicles, or of purchasing conditional sales contracts on vehicles from dealers,* shall be required to prove that his right, title, or interest was created after a reasonable investigation of the moral responsibility, character, and reputation of the owner, purchaser, or person in possession of the vehicle when it *or the certificate of ownership* was brought to the claimant."

Amendment No. 4

On page 1 of said bill, strike out lines 9 to 24, inclusive; and on page 2, strike out lines 1 to 29, inclusive, and in line 30, strike out "SEC. 5.", and insert

"SEC. 3."

Amendment No. 5

On page 2 of said bill, strike out line 41, and insert
"SEC 4. Section 11628 of said code is hereby".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2894—An act to amend Section 928 of the Health and Safety Code, relating to local health districts.

Bill read second time.

Consideration of Committee Amendments

The following an endment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 21, inclusive, and insert
"Provided, however, the district board of any district organized prior to September 19, 1947, may at any time provide that the terms of all its members shall terminate as of January 1st in the year next succeeding that in which such provision is made, in which event members of the district board shall be appointed pursuant to Section 926a to take office on the January 2d immediately following such termination The members of the board so appointed shall classify themselves, and they and their successors shall hold office, in the same manner and for the same terms as provided in this section for members of the first district board and their successors."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2188—An act to add Section 207 to the Education Code, relating to registration and licensing of private schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 207 to", and insert "Chapter 3 to Division 12 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "registration and licensing", and insert "regulation".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert
"SECTION 1. Chapter 3 is added to Division 12 of the Education Code, to read

CHAPTER 3. CERTIFICATES OF APPROVAL FOR PRIVATE SCHOOLS

24300 On or before March 1, 1952, every private school or educational institution which charges tuition or fees for attendance, or which offers a program of college, professional, preparatory, high school, junior high school, elementary, kindergarten, or nursery school work or any combination thereof, or which offers a program of trade or technical education, or both, or which gives pre-employment or supplementary training or both; in the fields of trade and industry, and any and every private school or educational institution charging tuition or fees for attendance, shall secure a certificate of approval issued by the State Department of Education before it may begin to operate or function in this State.

24301 The mandatory provisions of this chapter shall not include schools maintained or classes conducted by employers for their own employees, where no fee or tuition is charged, or schools owned and operated by bona fide religious, charitable, or eleemosynary institution; or any school conducting a course of instruction required or recognized by any board, bureau, commission, or other agency within the Department of Professional and Vocational Standards for purposes of qualifying any person to engage in any profession or vocation, or any school licensed, regulated, or controlled

by any board, bureau, commission, or other agency within the Department of Professional and Vocational Standards; or by the State of California, or any political subdivision thereof, or schools accredited by accrediting agencies recognized by the United States Office of Education, or institutions of higher learning recognized under the foregoing provisions; or schools or classes otherwise regulated and licensed under and pursuant to any other law of this State.

24302. The provisions of this chapter shall be administered by the State Department of Education and the Superintendent of Public Instruction, which in connection therewith shall have the power to make and enforce rules and regulations not inconsistent with the provisions of this chapter. There shall be an Advisory Board of not less than seven nor more than thirteen members active in the private school field, who shall be appointed by the Superintendent of Public Instruction. The Advisory Board shall consist of not less than five members representing as far as possible all branches or interests of the private schools, not less than one member from general industry, and not less than one member from the general educational field, whose duties shall be to advise the Superintendent of Public Instruction regarding the administration of this chapter and to make recommendations regarding rules, regulations, and standards of qualifications for granting approval of schools under this chapter.

24303. The Superintendent of Public Instruction shall issue a certificate of approval to any applicant operating or proposing to operate such a private school or educational institution whose conditions of entrance, scholarship, educational qualifications, standards and facilities are adequate and appropriate for the purposes, program, training and courses to be taught as given therein. Any such certificate may be revoked at any time for cause by the State Board of Education, after review and recommendation of the Advisory Board. The procedure to be followed in the refusal, suspension and revocation of certificates of approval, and in appeals taken from the State Board of Education shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code and the State Board of Education shall have all the powers granted therein.

24304. The terms of office of the members of the board shall be four years, except as otherwise provided, and they shall hold office until the appointment and qualifications of their successors. The terms of the first members of the Advisory Board shall be fixed by the Superintendent of Public Instruction and in such manner as will provide for the expiration each year of the terms of, as nearly as may be possible, one-fourth of the members. A vacancy shall be filled by appointment by the Superintendent of Public Instruction. The appointee shall hold office only for the balance of the unexpired term.

The members of the Advisory Board shall select a chairman from members of the board. The Superintendent of Public Instruction, or a person appointed by him, shall be the executive secretary of the board.

The board shall meet at least once each year and at such other times as the chairman or executive secretary may designate, such meetings to be called by the Superintendent of Public Instruction, at a time and at a place designated by him. In the event the Superintendent of Public Instruction fails to call a meeting of the Advisory Board when so requested by the chairman or executive secretary, the chairman may call such meeting upon written request from a majority of the members of the Advisory Board.

The executive secretary of the board shall keep the Superintendent of Public Instruction and members of the Advisory Board fully informed with respect to the activities of the board, and immediately following each meeting thereof shall forward to the Superintendent of Public Instruction and to each member of the Advisory Board a complete report of the meeting, including all recommendations made by the board.

24305. Before any certificate of approval is issued to a school, a verified application shall be made in writing to the State Superintendent of Public Instruction or his designee on a form furnished and prepared by the superintendent. Such application shall require a statement showing (1) the title or name of the school or classes, together with ownership and controlling officers thereof, (2) the general field of instruction which will be offered and the purposes of such instructions, (3) the place or places where such instruction will be given, (4) a specific listing of the equipment available for instruction in each field, (5) the qualifications of instructors and administrators, (6) financial resources available to equip and maintain the school or classes, (7) such additional information as the State Superintendent of Public Instruction of the Rules and Regulations of the State Board of Education may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto.

24306. Any certificate of approval issued to a school or class shall be restricted to the fields or courses specifically indicated in the application for approval. A certified school shall present a supplementary application as may be directed by the Superintendent of Public Instruction for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the certificate of approval.

24307. (a) Each original application for a certificate of approval to conduct a private school or class shall be accompanied by a certificate fee of fifty dollars ($50) and each application for the annual renewal of the certificate of approval shall be

accompanied by a fee of twenty-five dollars ($25) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instructions.

(b) All fees thus received shall be paid into the State General Fund. No fees shall be refunded in the event any certificate of approval is refused, suspended, revoked, or for any other reason.

(c) Each school shall have a separate certificate which shall not be transferable.

24308. Any school certified for approval shall be open for inspection by the State Superintendent of Public Instruction or his designated agent at all reasonable times. Every such school or educational institution shall be required to furnish such information and reports from time to time as the State Superintendent of Public Instruction shall deem necessary and proper in the manner and on forms prescribed by him.

24309. Any person, firm, corporation, or association violating any of the provisions of this chapter, or violating the rules and regulations promulgated under the provisions thereof, shall be deemed guilty of a misdemeanor and fined not less than fifty dollars ($50) nor more than one hundred dollars ($100) for each offense."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 3188—An act to amend Section 4965 of the Education Code, relating to unified school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", insert "4714 and to repeal Section".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4714 of the Education Code is amended to read:

4714 [The total amount of bonds issued by any unified school district for elementary school purposes, high school purposes, or junior college purposes, respectively, shall not exceed, for each of such purposes, 5 per cent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the unified school district is located.] *Any unified school district maintaining a junior college may issue bonds not to exceed 15 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. Any unified school district not maintaining a junior college may issue bonds not to exceed 10 percent of the taxable property of the district as shown by such equalized assessment.*

For the purposes of Chapter 16 of Division 3 only, any unified school district shall be considered to have a bonding capacity in the amount permitted by law for an elementary school district, a bonding capacity in the amount permitted by law for a high school district, and if the district maintains a junior college, a bonding capacity in the amount permitted by law for a junior college district. Any unified district, if otherwise eligible, may receive an apportionment for elementary school purposes alone, for high school purposes alone, for junior college purposes alone, or for any combination of such purposes

In computing the outstanding bonded indebtedness of any unified school district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes and junior college purposes, respectively, in the respective amounts that the proceeds of the sale of such outstanding bonds, excluding any premium and accrued interest received on said sale, were or have been allocated by the governing board of such unified school district to each of said purposes respectively.

SEC. 2. Section 4965 of said code is hereby repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 634—An act to amend Section 45.5 of the Community Redevelopment Act, relating to community redevelopment and the powers of public bodies in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 45.5 of", and insert "Sections 45.5 and 78 of, and to add Sections 29.1 and 29.2 to,".

Amendment No. 2

In line 2 of the title of said bill, after "Act," insert "and to amend Sections 33882, 33911, and 33912 of, and to add Section 33279 and Article 4 of Chapter 5 of Part 1 of Division 24 to, the Health and Safety Code,".

Amendment No. 3

In line 2 of the title of said bill, after "redevelopment", insert "and the financing thereof".

Amendment No. 4

On page 1, line 20, of said bill, strike out "approved", and insert "authorized".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 21, insert

"SEC. 2. Section 29.1 is added to said act to read:

Sec. 29.1. The agency may in any year during which it owns property in a redevelopment project pay to any city, county, city and county, district or other public corporation which would have levied a tax upon such property had it not been exempt, an amount of money in lieu of taxes.

SEC. 3. Section 29.2 is added to said act to read:

Sec. 29.2. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

(1) that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(2) that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by such redevelopment agency to finance or refinance, in whole or in part, such redevelopment project.

Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph numbered (1) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph numbered (2) hereof may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness.

As used in this section the word "taxes" shall include, but without limitation, all levies on an ad valorem basis upon land or real property.

Whenever property in any redevelopment project has been redeveloped and thereafter is leased by the redevelopment agency to any person or persons or whenever the agency leases real property in any redevelopment project to any person or persons for redevelopment, the property shall be assessed and taxed in the same manner as privately owned property, and the lease or contract shall provide that the lessee shall pay taxes upon the assessed value of the entire property and not merely upon the assessed value of his or its leasehold interest.

This section shall become operative only if the people approve the constitutional amendment of the 1951 Regular Session of the Legislature adding Section 19 to Article XIII of the Constitution of the State and in such case at the same time as such constitutional amendment takes effect.

SEC. 4. Section 78 of said act is amended to read:

SEC. 78. An agency shall have power to issue bonds from time to time in its discretion, for any of its corporate purposes. An agency shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable: (a) exclusively from the income and revenues of the redevelopment projects financed with the proceeds of such bonds, or with such proceeds together with financial assistance from the State or Federal Governments in aid of such projects; (b) exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of such bonds; *(c) in whole or in part from taxes allocated to, and paid into a special fund of, the agency pursuant to the provisions of Section 29.2 hereof.* [(c)] *(d)* from its revenues generally; [(d)] *(e)* from any contributions or other financial assistance from the State or Federal Governments; or [(e)] *(f)* by any combination of these methods. Any of such bonds may be additionally secured by a pledge of any revenues or by an encumbrance (whether by mortgage, deed of trust or otherwise) of any redevelopment project, projects or other property of the agency *or by a pledge of the taxes referred to in (c) above, or by any combination thereof.*

Neither the members of an agency nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of any agency (and such bonds and obligations shall so state on their face) shall not be a debt of the community, the State or any political subdivision thereof and neither the community, nor the State or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds or obligations be payable out of any funds or properties other than those of said agency. The bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

SEC. 5. Section 33279 is added to the Health and Safety Code to read:

33279. The agency may in any year during which it owns property in a redevelopment project pay to any city, county, city and county, district or other public corporation which would have levied a tax upon such property had it not been exempt, an amount of money in lieu of taxes.

SEC. 6. Section 33882 of said code is amended to read:

33882. Except as otherwise provided in this part, any general obligation bonds issued by any community pursuant to this article shall be authorized and issued in the manner and within the limitations prescribed by law or the charter of the community for the issuance and authorization of such bonds for public purposes generally. Irrespective of any limitation as to the amount of general obligation bonds which may be issued, a community may issue such bonds for the purposes prescribed in this article, in excess of the limitation, in such amount as may be authorized [by an ordinance submitted to and approved] by the voters of the community at any general or special election.

SEC. 7. Section 33911 of said code is amended to read:

33911. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable.

(a) Exclusively from the income and revenues of the redevelopment projects financed with the proceeds of the bonds, or with such proceeds together with financial assistance from the State or Federal Government in aid of the projects.

(b) Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of the bonds

(c) In whole or in part from taxes allocated to, and paid into a special fund of, the agency pursuant to the provisions of Article 4 of this chapter.

[(c)] *(d)* From its revenues generally.

[(d)] *(e)* From any contributions or other financial assistance from the State or Federal Government.

[(e)] *(f)* By any combination of these methods.

SEC. 8. Section 33912 of said code is amended to read:

33912. Any of such bonds may be additionally secured by a pledge of any revenues or by an encumbrance by mortgage, deed of trust, or otherwise of any redevelopment project or other property of the agency *or by a pledge of the taxes referred to in subdivision (C) of Section 33911, or by any combination thereof.*

SEC. 9. Article 4 of Chapter 5 of Part 1 of Division 24 of the Health and Safety Code is hereby added to said Code to read:

Article 4. Taxation

33950. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows.

(1) that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(2) that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by such redevelopment agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph numbered (1) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

33951 In any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph numbered (2) of Section 33950 may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness

33952 As used in this article the word "taxes" shall include, but without limitation, all levies on and ad valorem basis upon land or real property

33953. Whenever property in any redevelopment project has been redeveloped and thereafter is leased by the redevelopment agency to any person or persons or whenever the agency leases real property in any redevelopment project to any person or persons for redevelopment, the property shall be assessed and taxed in the same manner as privately owned property, and the lease or contract shall provide that the lessee shall pay taxes upon the assessed value of the entire property and not merely upon the assessed value of his or its leasehold interest

33954. This article shall become operative only if the people approve the constitutional amendment of the 1951 Regular Session of the Legislature adding Section

19 to Article XIII of the Constitution of the State and in such case at the same time as such constitutional amendment takes effect.

SEC 10. Sections 5, 6, 7, 8, and 9 of this act becomes effective only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 29.1 and 29.2 added to the Community Redevelopment Act, and Sections 45.5 and 78 of said act, as amended, are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2631—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, after the comma, insert "making an appropriation therefor, and".

Amendment No. 2

On page 1 of said bill, between lines 14 and 15, insert

"SEC. 2. There is hereby appropriated to the Vocational Education Fund out of any moneys in the State Treasury not otherwise appropriated two hundred twenty-seven thousand ninety-eight dollars ($227,098) for expenditures during the Fiscal Year 1951-1952 by the Department of Education for peace officers' training and institutes. Any personal services required by the State Board of Education under this appropriation shall be by contract in accordance with Section 9166 of the Education Code."

Amendment No. 3

On page 1, line 15, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 3270—An act to license psychologists, prescribing the terms upon which licenses may be issued to practitioners of psychology, creating a State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 11, 1951, strike out "license psychologists", and insert "regulate the practice of psychology".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Chapter 10, comprising Sections 4500 to 4581, inclusive, is added to Division 2 of the Business and Professions Code to read:

CHAPTER 10. PSYCHOLOGISTS

Article 1. Administration

4500. There is in the Department of Professional and Vocational Standards a State Board of Examiners of Psychologists in which the administration of this chapter is vested. The board is composed of seven members appointed by the Governor.

4501. The members of the board shall be psychologists who are licensed under this chapter, except that members of the original board shall be qualified for licensing and, upon payment of the required fee, shall be automatically licensed. No member of the original board shall be required to pass any examination of the board.

4502. Members of the board shall be appointed for a term of four years, except that the terms of the original members shall expire as follows: Two members, January 15, 1953; two members, January 15, 1954; three members, January 15, 1955. Members shall serve until their successors are appointed and qualified. Vacancies shall be filled for unexpired terms by the same procedure as for appointment.

4503. The Governor shall remove any member for incompetence, neglect of duty, or malfeasance in office.

4504. Members of the board shall serve without salary but may be compensated for expenses incurred in the discharge of their official duties. Each member of the board shall receive all transportation and other necessary expenses and in addition thereto the sum of ten dollars ($10) for each day of attendance at meetings of the board or for each day devoted to the duties assigned by the board.

4505. The principal office of the board shall be in Sacramento, but it may meet or conduct any of its business at any place in this State.

4506. Annually the board shall elect one of its members as chairman and shall hold at least one meeting.

4507. Four members of the board shall constitute a quorum for the transaction of any business.

4508. On December 31st of each year the board shall submit to the Governor a written report which shall include the names of all psychologists to whom licenses have been issued under this chapter, any cases heard and decisions rendered by the board, and recommendations of the board as to future policies. Each member of the board shall review and sign the report before its submission to the Governor.

4509. The board is authorized and empowered to establish reasonable rules, regulations, and procedures necessary to give effect to the provisions of this chapter in order to regulate the practice of psychology in this State. Within the limits of funds available to the board, the board may pay its necessary expenses and may employ and pay the salaries of clerks and employees necessary for the administration of the chapter. The board may also empower any member to conduct any proceeding, hearing, or investigation necessary to its purposes.

Article 2. Regulation

4520. A person practices psychology within the meaning of this chapter who renders to individual clients or the general public for fees or personal profit any professional service requiring the application of recognized principles, methods, and procedures of the science and profession of psychology, such as interviewing, administering and interpreting tests of mental abilities, aptitudes, and personality characteristics for such purposes as psychological classification, or evaluation, or for educational or vocational placement; or applies psychological techniques for such purposes as psychological re-education, counseling, guidance or readjustment.

4521. Nothing in this chapter shall be construed to limit:

(a) The activities and services of a person in the employment of, or serving for a recognized religious organization or social agency, when practicing within their organizations or agencies.

(b) The use of psychological techniques by organizations engaged in business, commerce, or industry, or by persons in their salaried employment, for purposes of selection or classification of employees for their own organizations, provided that the title "psychologist" is not used by a person not licensed under this chapter.

(c) The activities and services of a person in the employment of a federal, state, county or municipal agency, or a public or private school recognized by the State of California, if his activities and services are a part of his duties in a salaried position as long as such services are not offered to the public.

(d) The activities of and services of a student, regularly matriculated in any legally chartered school approved by the board, provided that such activities and services constitute a part of his supervised course of study and are rendered without fee or personal profit.

(e) The activities and services of psychological technicians or interns who work under the supervision of psychiatrists or psychologists licensed under Division 2 of the Business and Professions Code of this State, provided that such technicians or interns do not use the title "phychologist" or imply that they are independently engaged in the professional practice of psychology.

4522. Nothing in this chapter shall be construed as permitting the administering or prescribing of drugs, or is in any way intringing upon the practice of medicine or any of the other healing arts as set forth in Division 2 of the Business and Professions Code of this State.

4523. The confidential relations and communications between licensed psychologist and client are placed on the same basis as those between attorney and client, and nothing in this chapter shall be construed to require any such privileged communication to be disclosed.

Article 3 Licenses

4540. Each applicant for a license shall satisfy the board that he:

(a) Is at least 21 years of age.

(b) Is of good moral character.

(c) Is a citizen of the United States or has legally declared his intention of becoming one.

(d) Has received a doctorate in psychology, or its equivalent from the University of California or any other university or college of equal standing as determined by the board.

(e) Has had at least one year's supervised experience of a type satisfactory to the board in the practice of psychology.

(f) Is competent from a professional standpoint as shown by passing such written examinations, as the board deems necessary.

(g) Has not within the preceding six months failed any examination given by the board.

4541. For a period of three years from the effective date of this chapter, applicants lacking the requirements of subdivisions (d), (e), and (f) of Section 4540 shall be given a license upon successfully passing Parts I and II of the examination as described in Section 4542. Prior or subsequent to the passing of the examination but prior to the award of the license, each such applicant shall provide the board with evidence that he has satisfactorily completed one year of experience in the practice of psychology under the supervision of a person licensed under this chapter.

4542. All examinations shall be practical in character and designed to ascertain the fitness of the applicant to practice his profession. The examination shall be comprised of two parts as follows:

Part I. Background knowledge of psychological sciences and related theories.

Part II: Principles and techniques of the application of Psychology.

At its discretion the board may establish subsections to these two major parts of the examination. An applicant failing to make a passing grade in one portion of the examination shall be entitled to reexamination in only that portion failed.

The examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year. In the examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the applicant. Any unsuccessful candidate may, upon written request to the board, see his graded paper. A grade of 75 percent on any subject or section of the examination shall be deemed to be a passing grade.

4543. With respect to any person who has been engaged in the full-time professional practice of psychology as defined in Section 4520 for at least three years, or the equivalent in part-time practice, in the State of California at the time of the effective date of this chapter, the following conditions shall obtain.

(1) The board shall waive the requirements of subdivisions (e) and (f) of Section 4540 to anyone who meets the requirements of the remaining subsections of Section 4540.

(2) The board shall waive the requirements of subdivisions (d), (e) and (f) of Section 4540 for any such person who meets the other requirements of Section 4540 and who has a master's degree or its equivalent in psychology from the University of California or any other university or college of equal standing as determined by the board.

(3) The board shall issue licenses to be valid for not more than six years from the effective date of this chapter, to any such person who meets the requirements of (a), (b) and (c) of Section 4540 but does not meet the requirements of subsections (d), (e) and (f) of Section 4540. Such licenses shall be revoked by the board at the end of six years from the effective date of this chapter if the holder of such license fails to comply with one of the following provisions:

(a) Have taken and satisfactorily passed Parts I and II of the examination as defined in Section 4542.

(b) Presented to the board satisfactory evidence that he has completed with a passing grade, 30 units of undergraduate or graduate college study in psychology or that he possesses an A.B. degree, with a major in psychology from the University of

California or any other university or college of equal standing as determined by the board.

At the time of issuance of each license under this section the board shall inform the applicant in writing of all requirements which he must satisfy in order to qualify under the requirements of this section and thereafter no further requirements shall be made upon the applicant.

(c) If it deems such action to be in the public interest the board may waive examination for any person qualifying under this section

4544. The board may upon payment of the issuance fee, grant a license without examination to any person who, at the time of application, holds diplomate status as granted by the American Board of Examiners in Professional Psychology, or who is licensed or certified by a similar board of another state whose standards, in the opinion of the board, are not lower than those required by this chapter

4545 By December 1st of each year, every licensee shall pay the renewal fee and obtain a renewal certificate Any license shall be cancelled if the holder fails to secure a renewal certificate within three months after the renewal date, but any license so cancelled may be restored upon payment of the restoration fee within one year after cancellation

Article 4. Revocation; Penalties

4560. The board may suspend any license for a definite period not to exceed one year or may revoke it, or may refuse to issue or renew a license, if the holder has been convicted of a felony, has been found by the board to have employed fraud or deceit in obtaining the license, is guilty of habitual drunkenness or habitual addiction to the use of habit-forming drugs, or has acted negligently, unethically, or wrongfully in the conduct of his profession

4561. After three years from the date of a revocation, an application for reinstatement may be made to the board, and it may upon favorable action by the majority of the members, grant the reinstatement.

4562 Any proceeding on refusal, revocation, or suspension of a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all of the powers granted therein.

4563. After July 1, 1952, it shall be unlawful for any person to practice psychology, to represent himself as a licensed psychologist, or to designate himself by any other term or title which implies that he is practicing professional psychology, unless he has a valid license.

4564 Licensees under this act who treat patients by more than one treatment in any calendar month must require the patient to furnish for the licensee's permanent files a letter or certificate of referral signed by a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code Such letter or certificate shall state that the patient in the opinion of the signator, does not suffer from any mental disease. No licensee under this chapter shall treat or offer to treat any person who suffers from a mental disease, except under the direction or supervision, or on prescription, of a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code.

4565. Any person who violates any of the provisions of Section 4563 or 4564, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) for the first offense, and by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) for each subsequent offense.

Article 5 Revenue

4580. All fees collected on behalf of the board and receipts of every kind and nature shall be reported each month to the State Controller and at the same time the entire amount shall be paid into the State Treasury and shall be credited to the Psychology Fund. This fund is appropriated for the use of the board to carry out the provisions of this chapter

4581. The following fees shall be collected by the board:

(a) For action on application, with or without issuance of license, fifty dollars ($50)

(b) For annual renewal of license, twenty-five dollars ($25)

(c) For restoration of license after suspension or revocation, fifty dollars ($50).

(d) For restoration of license after failure to make annual renewal, twenty-five dollars ($25).

SEC 2. If any section, subsection, sentence, clause, or phrase in this act is, for any reason, held to be unconstitutional, or invalid, such decision shall not affect the validity of the remaining portion of this act The legislators hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional

The effective date of this act shall be January 1, 1952."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 13, inclusive; and strike out pages 2 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1250—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 30, 1951, after "Planning Act", insert a comma and "Article 4 of Chapter 10 of Part 2 of Division 3 of Title 4".

Amendment No. 2

On page 2, line 10, of the printed bill, as amended, insert

"65007. The validity of any conveyance, as defined in Section 1215 of the Civil Code, made contrary to the provisions of any ordinance or resolution adopted pursuant to the provisions of this title shall not be affected except that any such ordinance or resolution may provide that any deed of conveyance, sale or contract to sell made contrary to the provisions of such ordinance or resolution is voidable to the extent and in the same manner provided in Section 11540 of the Business and Professions Code."

Amendment No. 3

On page 3, line 36, of the printed bill, as amended, strike out "may,".

Amendment No. 4

On page 3, line 37 of the printed bill, as amended, strike out "shall," and insert "may".

Amendment No. 5

On page 6, line 23, of the printed bill, as amended, strike out "special".

Amendment No. 6

On page 6, lines 43 and 44, of the printed bill, as amended, strike out "All members of an area, a regional, a county or city commission except ex-officio and advisory members", and insert "Members of a planning commission".

Amendment No. 7

On page 6, line 47, of the printed bill, as amended, strike out "twenty-five dollars ($25)", and insert "ten dollars ($10)".

Amendment No. 8

On page 6, line 48, of the printed bill, as amended, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 9

On page 8, line 4, of the printed bill, as amended, after the semi-colon following "land", insert

"A system of street naming and numbering, house and building numbering;".

Amendment No. 10

On page 8, line 5, of the printed bill, as amended, after "circulation", strike out "in", and insert "of traffic", and place a period after "traffic".

Amendment No. 11

On page 8 of the printed bill, as amended, strike out all of line 6.

Amendment No. 12

On page 8, line 27, of the printed bill, as amended, after "land", insert "within the scope of the Subdivision Map Act, Chapter 2 of Part 2 of Division 4 of the Business and Professions Code,".

Amendment No. 13

On page 8, line 32, of the printed bill, as amended, strike out "quantitative and qualitative".

Amendment No. 14

On page 8, line 33, of the printed bill, as amended, strike out the "s" following "dwelling", and insert "conditions".

Amendment No. 15

On page 8, lines 33 and 34, of the printed bill, as amended, strike out "private".

Amendment No. 16

On page 8, line 38, of the printed bill, as amended, strike out "private and public".

Amendment No. 17

On page 8 of the printed bill, as amended, strike out lines 41 to 47, inclusive.

Amendment No. 18

On page 8, line 51, of the printed bill, as amended, strike out "and nothing", and insert a period and "Nothing".

Amendment No. 19

On page 9, lines 5, 6, and 7, of the printed bill, as amended, strike out "plans and reports intended for adoption by the planning commission, or consideration by the legislative body", and insert "master plans".

Amendment No. 20

On page 9, line 8, of the printed bill, as amended, after "cooperate", insert "with".

Amendment No. 21

On page 9, line 43, of the printed bill, as amended, strike out "a majority", and insert "Not less than two-thirds".

Amendment No. 22

On page 10, line 17, of the printed bill, as amended, place a period after "affected", and strike out " and shall be carried by".

Amendment No. 23

On page 10 of the printed bill, as amended, strike out lines 18 and 19.

Amendment No. 24

On page 11 of the printed bill, as amended, strike out line 27 beginning with "Each".

Amendment No. 25

On page 11 of the printed bill, as amended, strike out line 28, and in line 29 strike out "board of the State of California".

Amendment No. 26

On page 11, line 46, of the printed bill, as amended, after "surveys" insert a comma, and strike out "and place and maintain necessary", and insert "provided that such entries, examinations and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof".

Amendment No. 27

On page 11 of the printed bill, as amended, strike out line 47.

Amendment No. 28

On page 11, line 50, of the printed bill, as amended, after "functions", insert a comma and "as provided in this title".

Amendment No. 29

On page 12, line 18, of the printed bill, as amended, after "recommended", insert "for planning, initiation or construction during the ensuing fiscal year".

Amendment No. 30

On page 12, line 35, of the printed bill, as amended, strike out "character", and insert "purpose".

Amendment No. 31

On page 12, line 45, of the printed bill, as amended, strike out "character", and insert "purpose".

Amendment No. 32

On page 12, line 48, of the printed bill, as amended, strike out "which created the commission", and insert "or to such other governmental body, commission or board."

Amendment No. 33

On page 13, line 3, of the printed bill, as amended, strike out "character", and insert "purpose".

Amendment No. 34

On page 13, line 14, of the printed bill, as amended, strike out "The adoption of"; and strike out lines 15 to 45, inclusive, and insert

"65601. The precise plans may include:

(a) Proposed regulations limiting the use of land and buildings, the height and bulk of buildings, and the open spaces about buildings

(b) Proposed regulations limiting the location of buildings and other improvements with respect to existing or planned rights-of-way

(c) Such other matters which will accomplish the purposes of this chapter, including procedure for the administration of such regulations."

Amendment No. 35

On page 13, line 51, of the printed bill, as amended, strike out the comma and "including such rules as may be required for the"; and strike out all of line 52, and insert a period.

Amendment No. 36

On page 14 of the printed bill, as amended, strike out all of lines 1 to 25, inclusive, and insert

"65606. A precise plan may include a public works plan and program, consisting of studies, plans and reports for the systematic execution of construction projects, including the listing and classifying of major public works, estimates of cost, determination of priorities for detailed planning and construction, investigation of financial problems and resources, and development of tentative budgets for capital expenditures for such reasonable period of time as may be designated by the legislative body."

Amendment No. 37

On page 14, line 41, of the printed bill, as amended, strike out "adoption", and insert "recommendation".

Amendment No. 38

On page 14, line 43, of the printed bill, as amended, strike out "a majority", and insert "not less than two-thirds".

Amendment No. 39

On page 15, line 28, of the printed bill, as amended, strike out "10", and insert "9".

Amendment No. 40

On page 15, line 32, of the printed bill, as amended, strike out the first "3", and insert "4".

Amendment No. 41

On page 15, line 32, of the printed bill, as amended, strike out the second "3", and insert "4".

Amendment No. 42

On page 16, line 2, of the printed bill, as amended, strike out "thoroughfare plan or a neighbor-"; and in line 3, strike out "hood development", and insert "street or highway".

Amendment No. 43

On page 16, line 21, of the printed bill, as amended, insert

"Article 12. Street Names.

65711. Whether a master plan or any portions of it has been adopted or not whenever a county or city planning commission finds that there are two or more streets within the city or county having the same name or names so similar as to confuse the public, the commission may adopt a resolution of intention to adjust, alter, or change any of such street names so as best to serve the public convenience under the following procedure:

65712 The resolution of intention shall be set for hearing Notice of the hearing shall be given by posting a notice in at least three public places along the street proposed to be affected The posting shall be completed at least 10 days before the day set for the hearing.

65713 At the time set for hearing or at any time to which the hearing may be continued, the commission shall hear and consider proposals to adjust, alter, or change the names of the streets mentioned in the resolution and objections to the proposals

65714 At or after the conclusion of the hearing the commission may make any recommendations it deems appropriate to the county or city legislative body which shall thereupon take any action it considers proper

65715 When any street is known by two or more names or when portions of the same street have names that conflict, by resolution adopted without a hearing, the commission may recommend to the legislative body a single name for it."

Amendment No. 44

On page 16, lines 34, 35, and 37, of the printed bill, as amended, strike out all of line 34; in line 35 strike out "(d)", and insert "(c)"; and in line 37, strike out "(e)", and insert "(d)"

Amendment No. 45

On page 17, line 2, of the printed bill, as amended, strike out "2", and insert "3".

Amendment No. 46

On page 17, line 8, of the printed bill, as amended, strike out "65700", and insert "65800."

Amendment No. 47

On page 17, line 18, of the printed bill, as amended, strike out "100", and insert "not less than 300".

Amendment No. 48

On page 17, line 39, of the printed bill, as amended, after "city", insert "or county".

Amendment No. 49

On page 17, line 40, of the printed bill, as amended, after "city", insert "or county".

Amendment No. 50

On page 17, line 41, of the printed bill, as amended, after "city", insert "or county".

Amendment No. 51

On page 17, line 41, of the printed bill, as amended, strike out "This sec-"; and strike out all of line 42.

Amendment No. 52

On page 17, line 46, of the printed bill, as amended, after "body", insert "of a county", and strike out "either".

Amendment No. 53

On page 17, line 47, of the printed bill, as amended, after "adjustment", insert a period and "The legislative body of a city may create either a board of zoning adjustment or the office of zoning administrator".

Amendment No. 54

On page 18, line 1, of the printed bill, as amended, after "administrator", insert "of a city".

Amendment No. 55

On page 18, line 29, of the printed bill, as amended, strike out "65753", and insert "65853".

Amendment No. 56

On page 19, line 6, of the printed bill, as amended, after "to", insert "the Planning Act, the Conservation and Planning Act,".

Amendment No. 57

On page 19, line 13, of the printed bill, as amended, insert

"SEC. 5. As to any conveyance executed prior to the taking effect of this act and alleged to be in violation of any ordinance or resolution adopted pursuant to any statute or portion thereof repealed by this act, a proceeding or defense based on alleged invalidity of such conveyance by reason of such violation can be commenced or maintained only within one year after the execution of such conveyance or prior to October 1, 1952, whichever time is later, but this provision does not extend, enlarge or revive any rights with respect to proceedings or defenses which have heretofore expired or been lost by lapse of time or otherwise, nor does this provision affect or modify in any way any provisions in Chapter 1100 of the Statutes of 1949."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2331—An act to regulate the use of X-rays and X-ray appliances in connection with the diagnosis and treatment of human ailments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 21, inclusive, and insert "thereof shall be punishable by a fine of not less than one thousand dollars ($1,000), or by imprisonment for not less than six (6) months, or by both such fine and imprisonment."

Amendment No. 2

On page 1, line 15, of the printed bill, strike out the period after "chiropractic", and insert "nor shall the provisions of Section 1 of this act apply to the use of such appliances solely for purposes incident to the fitting of shoes".

Amendment No. 3

On page 1, line 5, of the printed bill, after "osteopath", insert ", chiropodist,".

Amendment No. 4

On page 1, line 10, of the printed bill, after the first comma, insert "chiropodist,".

Amendment No. 5

On page 1, line 14, of the printed bill, after "dentist", insert ", chiropodist,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 72—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 30.2 and 35.1, relating to the authorization and levy of annual assessments and special assessments upon real property within water conservation districts and improvement districts created therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 267—An act to amend Section 2 of the Water Conservation Act of 1927, relating to the powers of districts formed under said act.

Bill read second time, and ordered to third reading.

Senate Bill No. 71—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 3.1, 30.1, 36.1, 56.1, 61.1, 67.1, and 77.1, relating to the authorization, issuance, and payment of bonds of water conservation districts and improvement districts created under said act and the levy of assessments upon real property for the payment thereof, repealing Chapter 63 of the Statutes of the 1950 First Extraordinary Session, and validating districts organized pursuant to said Water Conservation Act of 1931, as amended by said Chapter 63.

Bill read second time, and ordered to third reading.

Senate Bill No. 58—An act to add Section 1593.4 to the Education Code, relating to the formation, annexation, and change of boundaries of school districts declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 284—An act to add Section 20372.5 to the Education Code, relating to separation from service of state college employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 301—An act to amend Section 9809 of the Education Code, relating to the computation of excess cost of educating mentally retarded pupils.

Bill read second time, and ordered to third reading.

Senate Bill No. 644—An act to amend Sections 12130.1 and 12131 2 of the Education Code, relating to the standards for provisional credentials authorizing service in the public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 942—An act to amend Section 7431.1 of, and to add Section 7431.2 to, the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1077—An act to amend Section 13093 of the Education Code, relating to the Public School System of the State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 165—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

Bill read second time, and ordered to third reading.

Senate Bill No. 242—An act to add Section 12108 to, and to amend Section 12501 of, the Business and Professions Code, relating to sealers and weighing or measuring instruments.

Bill read second time, and ordered to third reading.

Senate Bill No. 626—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1662—An act to amend Sections 7580 and 7581 of the Business and Professions Code, relating to a schedule of license fees for private investigators and adjusters and creating a Private Investigator and Adjuster Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 353—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State

in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read second time, and ordered to third reading.

Senate Bill No. 28—An act to add Sections 14152, 14152.1, 14152.2, 14152.3, 14152.4, 14153, 14153.1, 14154, 14154.1, 14155, and 14156 to, and repeal Sections 14152, 14153, 14154, 14155, and 14156 of the Health and Safety Code, relating to fire protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on May 7, 1951, strike out "first day of July", and insert "fifteenth day of June"

Amendment No. 2

On page 1, line 12, of said bill, strike out "first day of July", and insert "fifteenth day of June".

Amendment No. 3

On page 2, line 1, of said bill, strike out "30 days", and insert "one month".

Amendment No. 4

On page 2, line 9, of said bill, after "meeting", insert a comma.

Amendment No. 5

On page 2 of said bill, strike out all of lines 34 to 36, inclusive, and insert "in number of the assessees of real property representing one-half or more of the assessed valuation of the taxable real property within".

Amendment No. 6

On page 2, line 49, of said bill, after the period, insert "All laws applicable to the levy, collection and enforcement of county taxes are applicable to such taxes."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1563—An act to provide for the placing in civil service of employees of certain local agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 30, 1951, strike out "provide for", and insert "add Article 4 to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Article 4 is added to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, to read:

Article 4. Civil Service

53280. Employees of a district, authority, or other local agency not presently incorporated into civil service may be joined in the civil service system of the county, or city and county if the agency is wholly within its boundaries, or the city in which such local agency is situated if it is wholly within a city. Such employees may be

so joined by ordinance enacted by majority vote of the board of supervisors, city council or other legislative body of the county, city and county, or city to whose civil service system the employees may be joined."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 16, inclusive, and insert

"Such ordinance must provide that all employees joined pursuant thereto, shall be subject to any charter or ordinance provisions pertaining to civil service and to all the rules and regulations of the civil service commission of the county, city and county or city."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1659—An act to amend Sections 7524, 7525, 7526, 7528, 7551, 7552, and 7553 of the Business and Professions Code, relating to the regulation, registration, and licensing of private investigators and adjusters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 9, 1951, after "of", insert ", and to add Section 7530.5 to,"

Amendment No. 2

On page 2, line 31, of said bill, after "(h)", insert "Knowingly".

Amendment No. 3

On page 3 of said bill, after line 30, insert

"SEC. 8. Section 7530.5 is added to said code to read

7530.5. Where a hearing is held under this chapter to determine whether an application for a license should be granted or to determine the qualifications of a licensee's manager, the proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all of the powers granted therein."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1660—An act to amend Sections 7500, 7503, 7504, 7510, 7514, 7520, 7529, 7533, 7534, 7536, 7538, 7541, 7543, 7545, and to repeal Sections 7506, 7529.5, 7530, 7537, and 7567 of, and to add Section 7530 to, the Business and Professions Code, relating to the regulation of licensees of the Bureau of Private Investigators and Adjusters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate on April 9, 1951, after line 18, insert

"SEC. 17. This act shall not be construed to interfere with the right of any person to continue to use the business name under which such person was validly licensed on the effective date of this act."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1661—An act to amend Section 7521 and 7522 of the Business and Professions Code, relating to private investigators and adjusters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, strike out ", settling, resisting, enforcing".

Amendment No. 2

On page 2 of said bill, after line 51, insert

"(h) Admitted insurers and agents and insurance brokers licensed by the State, performing duties in connection with insurance transacted by them."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 435—An act to amend Section 4127 of, and to add Section 4128 to, the Public Resources Code, relating to the closure to entry of lands during the existence of an extreme fire hazard emergency.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Senate on April 12, 1951, before "use", insert "unrestricted".

Amendment No. 2

On page 1 of said bill, strike out lines 21 and 22, and insert "of any grass, grain,".

Amendment No. 3

On page 2 of said bill, strike out lines 2 and 3, and insert

"Such lands, the Governor through the Director of Natural Resources, may, by proclamation, declare such condition".

Amendment No. 4

On page 2 of said bill, strike out lines 6 to 15, inclusive, and insert "area shall be closed to hunting and fishing and to entry by any person other than one of the following classes.

(a) Owners and lessees of land in the area.

(b) Bona fide residents in the area.

(c) Persons engaged in some bona fide business, trade, occupation, or calling in the area and persons employed by them in connection with such business, trade, occupation, or calling.

(d) Authorized agents or employees of a public utility entering such area for the purpose of operating or maintaining public utility works or equipment within the area.

(e) Members of any organized fire fighting force.

(f) Any federal, state or local officer in the performance of his duties.

(g) Persons traveling on public roads or highways through the area."

Amendment No. 5

On page 2 of said bill, strike out lines 16 to 31, inclusive, and insert

"The proclamation by the Governor shall be released to the wire news services in the State, and shall be published at least once in a newspaper of general circulation in each county containing any lands covered by the proclamation, and a notice of closure shall be posted on trails or roads entering the area covered by the proclamation. The closure shall be effective upon issuance of the proclamation by the Governor. Each notice shall clearly set forth the area to be subject to closure and the effective date of such closure. The closure shall remain in full force and effect until the Governor shall

by order terminate the same. The notice of such termination shall follow the same procedure by which such closure was effected The order of termination shall be effected upon issuance."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 465—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 6 of the printed bill, as amended in the Senate on May 4, 1951, strike out lines 14 to 16, inclusive, and insert "amounts as payments made by the county pursuant to county ordinance or regulation or any amendment thereto which relates to the payment by the county for boarding children in boarding homes, camps or foster homes and which is in effect when the payments required by this section are made by the county."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Senate Bill No. 1085—An act to amend Sections 65131 and 65270 of the Government Code, relating to conservation and planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 26, 1951, after "to", insert "add Section 65006 to, and to".

Amendment No. 2

In line 1 of the title of said bill, strike out "Sections 65131 and 65270", and insert "Section 65131".

Amendment No. 3

On page 1 of said bill, strike out all of lines 17 to 24, inclusive, and insert

"SEC. 2. Section 65006 is added to said code to read:

65006 This chapter is a continuation of the Conservation and Planning Act and any acts lawfully performed pursuant to such act or its predecessors, including but not limited to the adoption of master and official or precise plans and the creation of planning commissions, are continued in effect and deemed to fulfill the requirements of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENT

Speaker Sam L Collins announced that a new sex crime has stressed the necessity for every legislative safeguard and for a further full investigation of sex crime problems by the Legislature. He also announced

that he recently requested an opinion from every district attorney in the State of how best to approach this serious problem; and asked for, and was granted, unanimous consent that the following telegrams and letter be ordered printed in the Journal, in 10 point type, as follows:

WEAVERVILLE, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly, Sacramento

Longer sentences with less chances for parole.

STENNETT M. SHEPPARD, District Attorney

SACRAMENTO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Present laws for punishment of sex offender are adequate if strictly applied and enforced.

J. FRANCIS O'SHEA, District Attorney

SAN RAFAEL, CALIFORNIA, May 24, 1951

Sam L Collins, Speaker
California Assembly
State Capitol, Sacramento, California

No particular recommendation to strengthen laws for punishment for sex offenders. Commend Legislature for action in securing further medical data concerning prevention and treatment.

R. M. SIMS, JR., District Attorney

EL CENTRO, CALIFORNIA, May 24, 1951

Hon. Sam L. Collins
Speaker of California
Assembly, Sacramento, California

I believe sex offenders are rarely rehabilitated either by jail or prison sentences or probation or parole because such persons are either subnormal mentally or senile or abnormal sexually, and it seems more of a medical problem with possible surgical operations indicated as a solution. We have several times committed men of varying ages to jail or prison and, after either short or long terms, they returned and performed same or similar sexual offenses. My recommendations for penalties are much tighter restrictions on probation and parole with surgical operations where recommended by a medical board. Also death penalty for second offenders when minors under 14 are victims. Senile defendants should get life without parole. These suggestions based on long experience as prosecutor and our belief that sex offenders should be permanently removed from society. I would be glad to furnish you digests of some of our recent cases in support of the ideas set forth.

DON C. BITLER, District Attorney
Imperial County

INDEPENDENCE, CALIFORNIA, May 24, 1951

Hon. Sam L. Collins, Speaker
California Assembly, State Capitol Building
Sacramento, California

Re your telegram, I believe as to sex offenders that enforcement of present law is all that is necessary.

JOHN P. McMURRAY
District Attorney, Inyo County

BRIDGEPORT, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento, California

Believe committee comprised of law enforcement and science should analyze sex offenses. Seriousness and complexity of problem defy hasty and unscientific solution.

VERNE SUMMERS
District Attorney, Mono County

UKIAH, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker California Assembly
State Capitol, Sacramento, California

Believe that present laws regarding sex offenders are adequate, excepting Section 5501, Welfare and Institutions Code should be amended to permit charge of sexual psychopathy before adjudication on other criminal charge.

JAMES E. BUSCH
District Attorney
Mendocino County

SALINAS, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Believe present laws regarding sex offenders adequate as to punishment if judicious use of kidnapping statutes is made.

BURR SCOTT, District Attorney
Monterey County, Salinas

SANTA ANA, CALIFORNIA, May 24, 1951

Hon. Sam L. Collins
Speaker, California Assembly
State Capitol, Sacramento, California

Telegram May 23rd received. My belief laws for punishment of sex offenders are now sufficient. Under Section 288 Penal Code, sex offenders may be given life imprisonment. What California needs is jurors with sufficient courage and backbone to enforce our present sex laws when violations are presented to them.

JAMES L. DAVIS
District Attorney of Orange County

AUBURN, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Re telegram 23-5-51 sex offenders. It has been the experience of this office in the prosecution of sex crimes that by far the greater majority involved are second or more offenders, and it is strictly believed that the minimum sentences should be sufficiently increased so that first offenders are not released on society until it is absolutely assured that they are either cured or will no longer be a menace thereto. In addition, after release on a parole or otherwise, they should be placed on absolute and strict supervision for such an additional period as to assure their adjustment to society, and assure that any propensities toward the commission of sex offenses are not revived.

AL B. BROYER
District Attorney, Placer County

YREKA, CALIFORNIA, May 24, 1951

Sam L. Collins
Speaker of California Assembly
State Capitol, Sacramento, California

Suggest serious sex offenders be punished as other criminals. Separate confinement, no benefit of parole.

FLOYD MERRILL
District Attorney, Siskiyou County

SAN FRANCISCO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

I am in favor of strengthening laws for punishment of sex offenders in some instances. Frank Coakley, District Attorney Alameda, Chairman of District Attorneys Legislative Committee, is familiar with feelings of district attorneys generally and will communicate with you directly Suggest you contact him or Allen Lindsay, legislative representative, Sacramento.

THOMAS C LYNCH, District Attorney

SAN JOSE, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Same as California Peace Officers and District Attorneys Association.

N. J. MENARD, District Attorney

OROVILLE, CALIFORNIA, May 24, 1951

Sam L. Collins
Speaker California Assembly
State Capitol, Sacramento, California

Strongly recommend strengthen laws for punishment sex offenders, especially procedures in Welfare and Institutions Code for sexual psycopaths.

RAYMOND A. LEONARD
District Attorney, Butte County

HANFORD, CALIFORNIA, May 24, 1951

Honorable Sam L. Collins, Speaker
State Assembly, State Capitol
Sacramento, California

Recommend violation Penal Code Section 290 (registration of sex offenders) be made felony; add Section 311a to Penal Code to provide:

Every person who wilfully and lewdly exposes his person or private parts thereof to a child under the age of 14 years shall be guilty of a felony

A. HUGO PEARSON
District Attorney, Kings County

VENTURA, CALIFORNIA, May 24, 1951

Sam L. Collins
State Capitol, Sacramento, California

I believe that there would be less concern about punishment of sex offenders if persons with such tendencies were confined in institutions and treated as medical and psychological cases upon first detection of symptoms regardless of how minor or insignificant first act may seem. Legislature should recognize that persons who are mentally ill, mentally deficient, alcoholics, narcotic victims, and sex offenders, should be isolated and treated for physical and mental condition rather than for some particular act committed by them. Commitment and length of confinement should not depend on severity of act which brought the condition to attention. Institutionalization of all such persons should be by court on expert testimony with no jury trial allowed. Confinement should be indefinite with power of discharge or parole in hands of competent medical authorities. That plan would remove a potentially dangerous sex offender before his condition gets so bad that he commits a violent crime arousing public opinion. Even maximum punishment then comes too late.

ROY A. GUSTAFSON
District Attorney, Ventura County

MODESTO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Re your telegram re sex offenders. Believe present punishment adequate if laws enforced. Biggest problem in this type of offense is to overcome reluctance of victims and parents of victims to prosecute. This due

to publicity and possibility of public trial. Realize serious constitutional questions involved in any law or procedure remedying this, but would have extremely beneficial results.

T. W. MARTZ
District Attorney, Stanislaus County

RIVERSIDE, CALIFORNIA, May 24, 1951

Sam L. Collins
State Capitol, Sacramento, California

Replying to your wire re sex offenders, punishment should be one year to life. Probation and suspended sentences prohibited. Failure on part of any peace officer or any other person to file charge involving sex offense made a crime, as well as filing reduced charge. No person should be released on parole after conviction of a sex crime offense without proof from three physchiatrists all concurring that prisoner no longer inclined toward sex offenses. Another method is to provide for separate institutions for sex offenders staffed with trained psychiatrists who would not be authorized to grant releases or paroles unless cure effected, and a requirement that all sex offenders either misdemeanants or felons be committed thereto. Do away with present red tape on court procedure.

WILLIAM O. MACKEY
District Attorney, Riverside County

SAN LUIS OBISPO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Received your wire May 23d. Suggest eliminate parole for sex offenders.

L. E. SOMOGYI, Assistant District Attorney

LOS ANGELES, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento

Recommendations strengthening law re sex offenders. Amend Section 209, Penal Code, to include forcible rape and violation of Section 288 P.C. Also recommend amending Section 5047 Welfare and Institutions Code so as to permit a verified petition to be filed against sexual psychopathics as defined by Section 5500 same code, and thus subject these individuals to commitment to appropriate institution and treatment as in mental cases Recommend amending 5501 same code so as to eliminate condition that a sexual psychopath must first be convicted of a criminal offense before proceedings can be initiated. Provide foregoing suggested amendment should not be made available to the sexual psychopath as a substitute for or a means of avoiding any prosecution on any applicable criminal statute Air mail letter follows.

S. ERNEST ROLL, District Attorney

COUNTY OF LOS ANGELES
OFFICE OF THE DISTRICT ATTORNEY
HALL OF JUSTICE, LOS ANGELES, May 24, 1951

Hon. Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

DEAR SAM: Further answering your telegram as of today concerning proposed legislation for the strengthening of sex laws, may I suggest the following for your consideration:

1. Amend Section 209 of the Penal Code to include in addition to the matters therein contained, kidnapping for the purpose of forcible rape and kidnapping for the purpose of violation of Section 288 of the Penal Code.

I have discussed these proposals with other men in our office and with Superior Court Judge Charles Fricke, and they all concur in these suggestions.

2. Amend Section 5047, Welfare and Institutions Code, and other applicable sections, so as to permit a verified petition to be filed against sexual psychopaths as defined by Section 5500 of the same code, and thus subject these individuals to commitment to appropriate institutions and treatment as in mental cases.

3. Amend Section 5501 of the Welfare and Institutions Code so as to eliminate the condition that a sexual psychopath must first be convicted of a criminal offense before proceedings can be initiated to have the individual adjudicated a sexual psychopath.

4. Provide that the foregoing suggested amendments should not be made available to the sexual psychopath as a substitute for or a means of avoiding any prosecution on any applicable criminal statute, but the procedure should be used only in those cases where either no criminal offense or only minor criminal offenses have been committed. The purpose of these amendments should be limited to procedure against sexual psychopaths and their commitment as such before they become involved in serious sexual offenses, the idea being to treat these individuals as mentally ill persons and prevent them from injuring themselves or others because of their tendencies.

There are several reasons for the suggested amendments as mentioned in 2, 3, and 4, and among them you may consider the following:

When a man is insane to the extent that he is a menace to the safety of others, there are procedures to remove him from society until he is determined to be no longer a menace. Certainly we should have a law whereby a person who is perpetually a menace to little children could be removed from society for so long a time as he is a danger to them. The present sexual psychopath act cannot be invoked until an offender has been convicted of a moral offense. That can be too late. In quite a few cases a child-molester can appear to be non-violent for many years, and then suddenly turn into a killer when his victim offers resistance.

5. Recommend amending 647a subsection 1 of the Penal Code to increase the age limit to 18. 647a seriously limits the child molestation cases. Insofar as molestation is concerned, it is now an offense to molest youngsters only under the age of 14, and provides no protection at all

under this provision for youngsters 14 and over Serious consideration should be given to raising the age limit to 18 under this section.

Sincerely yours,

S. ERNEST ROLL
District Attorney

Above subject matter ordered referred to the Subcommittee to Investigate Sex Crimes, a subcommittee of the Interim Committee on Judicial System and Judicial Process. Members: Messrs. Brown, Beck, Rosenthal, and Smith.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1126—An act to amend Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1126?

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 5004 and 5005 of the Public Utilities Code, and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 45, insert

"SEC. 3. Section 5004 of the Public Utilities Code is amended to read:

5004. [A fee of three dollars ($3) shall be paid to the commission for filing each application for an operating permit under the Highway Carriers' Act or City Carriers' Act Each permittee shall also pay to the commission, on or before the first day of January of each year, a fee of one dollar ($1) for the re-registration of his permit.]

The following fees shall be paid to the commission, pursuant to permits issued under the Highway Carriers' Act and the City Carriers' Act.

Fifty dollars ($50) for filing each application for a permit.

Twenty-five dollars ($25) for filing each application to sell, mortgage, lease, assign, transfer, or otherwise encumber any permit.

SEC 4 Section 5005 of said code is amended to read:

5005. All fees collected under this chapter *and all fees collected for the filing of applications pursuant to Sections 1010, 1063, and 1064* shall be deposited at least once a month in the State Treasury to the credit of the Transportation Rate Fund, which is continued in existence. The money in the fund shall be in augmentation of the current appropriation for the support of the commission, and shall be expended by the commission for the purpose of administering and enforcing the Highway Carriers' Act, the City Carriers' Act, the Motor Transportation Brokers Act, and also for the purpose of administering and enforcing those provisions of Part 1 of Division 1 and

other acts conferring upon the commission jurisdiction over the rates, charges, and classifications, and the rules and practices relating thereto, of carriers of property for compensation.

SEC. 5. Sections 3 and 4 of this act become operative only if Division 2 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 1 and 2 of this act are repealed."

Amendment No. 3

On page 1, line 11, of the printed bill, as amended in the Senate on May 16, 1951, after "Act", insert ", "the "Household Goods Carriers Act,".

Amendment No. 4

On page 2 of said bill, as amended, strike out line 20, and insert "Act, Household Goods Carriers Act, and City Carriers' Act."

Amendment No. 5

On page 2, line 35, of said bill, as amended, after "Act," " insert "the "Household Goods Carriers Act,".

Amendment No. 6

On page 3, line 15, of said bill, as amended, after "Act," insert "the Household Goods Carriers Act,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1126 by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1126 ordered enrolled

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 52, on request of Mr. Elliott.

MOTION THAT ASSEMBLY BILL NO. 3435 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn moved that Assembly Bill No 3435 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Industrial Relations.

Mr. Condon seconded the motion.

Roll Call Demanded

Messrs Dunn, Lowrey, and Condon demanded a roll call.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Roll Call Demanded

Messrs. Sherwin, Gaffney, and Lowrey demanded a roll call.

The roll was called, and the motion for a call of the Assembly lost by the following vote:

AYES—Babbage, Beck, Burke, Clarke, Cloyed, Conrad, Davis, Grant, Hagen, Hansen, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, Porter, Rosenthal, Sherwin, Smith, Stewart, and Tomlinson—24.

NOES—Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hahn, Henderson, Hollibaugh, Kilpatrick, Luckel, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, and Shaw—26

The vote was announced, and the motion by Mr. Dunn carried by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Waters—42

NOES—Babbage, Burke, Clarke, Cloyed, Grant, Hagen, Hansen, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Lyon, McCollister, McFall, Porter, Sherwin, Smith, Stewart, and Tomlinson—20.

Notice of Motion to Reconsider Vote on Withdrawal and Re-reference of Assembly Bill No. 3435

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3435 was this day withdrawn from committee and re-referred.

Motion That Notice of Motion to Reconsider Withdrawal and Re-reference of Assembly Bill No. 3435 Be Taken Up, at This Time

Mr. Dunn moved that the notice of motion by Mr. Lowrey to reconsider the vote whereby the Assembly, on this day, withdrew Assembly Bill No. 3435 from committee and re-referred it be taken up, at this time.

Notice of Motion to Reconsider Withdrawn

Mr. Lowrey withdrew his notice of motion to reconsider the vote whereby Assembly Bill No. 3435 was withdrawn from committee and re-referred.

Point of Order

Mr. Beck arose to the following point of order: That Mr. Lowrey had no right to withdraw his notice of motion without the consent of the House.

Ruling by Speaker

Speaker Sam L. Collins ruled that, as there was no objection at the time Mr. Lowrey withdrew his notice of motion and it became the property of the House, the point of order is not well taken.

Notice of Motion to Reconsider Vote on Withdrawal and Re-reference of Assembly Bill No. 3435

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3435 was this day withdrawn from committee and re-referred.

Ruling by Speaker

Speaker Sam L. Collins ruled the above motion not in order, at this time

Assembly Bill No. 3435 ordered withdrawn from the Committee on Agriculture, and re-referred to the Committee on Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Assembly Bill No. 50
Assembly Bill No. 2484

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2864

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No 233

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR SPEAKER: Your Committee on Industrial Relations, to which was referred:
Assembly Bill No. 798

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

LEVERING, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:
Assembly Bill No 2905
Senate Bill No. 1212

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

LEVERING, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred
Assembly Bill No. 892

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred: Assembly Bill No 2737

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 10 35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Brown, Condon, Connolly, Cooke, Crowley, Grant, Henderson, Levering, Lipscomb, Rumford, Smith, Thomas, and Tomlinson—15

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 61: By Mr. Rumford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 22b to Article IV thereof, relating to the extension of retirement rights and benefits to former Members of the Senate or of the Assembly.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 550

Mr. Stewart asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 550, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 550?

Amendment No. 1

On page 2, line 26, of the printed bill, strike out "department", and insert "Controller".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 550 by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 550 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2923

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2923, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2923—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2923?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 25, 1951, after "operate", insert "as such in this State".

Amendment No. 2

In line 7 of the title of said bill, as amended, after "herewith", insert "; and adding Chapter 7, comprising Sections 5101 to 5319, inclusive, to Division 2 of the Public Utilities Code; all relating to household goods carriers".

Amendment No. 3

On page 2, line 19, of said bill, as amended, strike out "operating within this State,"; and strike out all of lines 20 and 21, and insert "engaged in transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles in the transportation of used".

Amendment No. 4

On page 2, lines 35 and 36, of said bill, as amended, strike out "and operation of household goods carriers", and insert "of the transportation of used uncrated household goods and personal effects, office, store, and institution furniture and fixtures exclusively over any public highway in the State",

Amendment No. 5

On page 2 of said bill, as amended, strike out line 41, and insert "such business for compensa-".

Amendment No. 6

On page 2 of said bill, as amended, between lines 45 and 46, insert

"(b) Each household goods carrier shall display on each vehicle operated by it an identification symbol in such form and in accordance with such rules and regulations as the commission may prescribe."

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 46 to 52, inclusive, and on page 3, strike out all of lines 1 to 9, inclusive.

Amendment No. 8

On page 3 of said bill, as amended, strike out lines 17 to 24, inclusive, and insert

"(b) Any person or corporation who was engaged in the business of transporting used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 9. The commision shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful."

Amendment No. 9

On page 3 of said bill, as amended, strike out line 38; and in line 39, strike out "tion 8," and insert "this act".

Amendment No. 10

On page 3 of said bill, as amended, strike out line 41, and insert "twenty-five dollars ($25)."

Amendment No. 11

On page 4, line 4, of said bill, as amended, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 12

On page 4 of said bill, as amended, between lines 6 and 7, insert

"The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine"

Amendment No. 13

On page 4 of said bill, as amended, strike out line 8; and in line 9, strike out "(a) By", and insert "denied by".

Amendment No. 14

On page 4 of said bill, as amended, strike out line 11, and insert

"(1) Of a policy or policies of".

Amendment No. 15

On page 4, line 15, of said bill, as amended, strike out "; or", and insert a period.

Amendment No. 16

On page 4 of said bill, as amended, strike out lines 16 to 27, inclusive.

Amendment No. 16a

On page 4, line 36, of said bill, as amended, strike out the comma, and insert "or".

Amendment No. 16b

On page 4, line 37, of said bill, as amended, strike out "or personal bond".

Amendment No. 17

On page 4, line 45, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 18

On page 4, line 46, of said bill, as amended, strike out "by it", and insert "in connection therewith".

Amendment No. 19

On page 5, line 20, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 20

On page 6, line 2, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 21

On page 6, line 3, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 22

On page 9 of said bill, as amended, strike out lines 20 to 31, inclusive, and insert

"SEC. 19. (a) A permit shall remain in effect until suspended or terminated as herein provided, provided, however, that any permit not exercised for a period of six (6) months shall lapse and terminate. No permit hereunder shall be sold, leased, assigned or otherwise transferred or encumbered by the holder thereof without first having secured from the commission an order authorizing the same. Any such sale, lease, assignment, transfer or encumbrance made otherwise than in accordance with the order of the commission authorizing the same shall be void."

Amendment No. 23

On page 10, line 14, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 24

On page 10, lines 42 and 43, of said bill, as amended, strike out ", subject to the provisions of the Public Utilities Act,".

Amendment No. 25

On page 12 of said bill, as amended, after line 40, insert

"SEC 25. Chapter 7, comprising Sections 5101 to 5319, inclusive, is added to Division 2 of the Public Utilities Code, to read

CHAPTER 7 HOUSEHOLD GOODS CARRIERS

Article 1. General Provisions and Definitions

5101. This chapter may be cited as the "Household Goods Carriers Act"

5102. The use of the public highways for the transportation of property for compensation is a business affected with a public interest. It is the purpose of this chapter to preserve for the public the full benefit and use of public highways consistent with the needs of commerce without unnecessary congestion or wear and tear upon such highways; to secure to the people just and reasonable rates for transportation by carriers operating upon such highways; and to secure full and unrestricted flow of traffic by motor carriers over such highways which will adequately meet reasonable public demands by providing for the regulation of rates of all transportation agencies so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public

5103 Unless the context otherwise requires, the definitions and general provisions set forth in this article govern the construction of this chapter.

5104. In construing and enforcing the provisions of this chapter relating to penalties, the act, omission, or failure of any officer, agent, or employee of any person or corporation, acting within the scope of his official duties or employment, is the act, omission, or failure of the employing person or corporation.

5105. "Corporation" includes a corporation, a company, an association, and a joint stock association.

5106. "Person" includes an individual, a firm, or a copartnership.

5107. "Public highway" includes every public street, road or highway in this State

5108 "Motor vehicle" means every motor truck, tractor, or other self-propelled vehicle used for transportation of property over the public highways, otherwise than upon fixed rails or tracks, and any trailer, semitrailer, dolly, or other vehicle drawn thereby

5109. "Household goods carrier" includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles in the transportation of used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State

5110. The provisions of this chapter do not apply to transportation service all of which is rendered in territory within the exterior boundaries of a city, or city and county including the area of any city situated wholly within such outside limits

5111 This chapter shall not be construed as a regulation of commerce with foreign nations or among the several states, except insofar as such regulation is permitted under the provisions of the Constitution and the acts of the Congress of the United States.

5112 The regulation of the transportation of used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State shall be exclusively as provided in this chapter. Any provision of

the Public Utilities Act or the Highway Carriers Act in conflict with the provisions of this chapter is superseded and repealed.

5113. The transportation of used and uncrated household goods, personal effects, office, store, and institution furniture and fixtures in any truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation. This chapter is enacted for the limited purpose of providing necessary regulation for this specialized type of truck transportation only, and is not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted

Article 2. Regulation of Household Goods Carriers

5131. No household goods carrier shall engage in such business for compensation by motor vehicle over any public highway in this State, except in accordance with the provisions of this chapter which is enacted under the power of the State to regulate the use of public highways.

5132. Each household goods carrier shall display on each vehicle operated by it an identification symbol in such form and in accordance with such rules and regulations as the commission may prescribe.

5133 Except as provided in Section 5133 5, no household goods carrier shall engage in the business of the transportation of used, uncrated household goods and personal effects, office, store, and institution furniture and fixtures for compensation, by motor vehicle over any public highway in this State, unless there is in force a permit issued by the commission authorizing such operations.

5133 5. Any person or corporation who was engaged in the business of transporting used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 5134. The commission shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings. Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful

5134. Application for permits shall be in writing, verified under oath, and shall be in such form, contain such information, and be accompanied by proof of service upon such interested parties as the commission requires

5135. Except as provided in Section 5133.5, before a permit is hereafter issued the commission shall require the applicant to establish ability and reasonable financial responsibility to initiate the proposed operations. The commission may, with or without hearing, issue or refuse to issue the permit If the commission finds that the applicant possesses the ability and financial responsibility to initiate the proposed operations, it shall issue a permit as prayed for.

5136. Each application for issuance of a permit under this chapter shall be accompanied by a fee of fifty dollars ($50)

The filing fee for an application for transfer of a permit is twenty-five dollars ($25).

All fees paid to the commission under this chapter shall be deposited in the Transportation Rate Fund.

Article 3. Accident Liability Protection

5161 The commission shall, in granting permits pursuant to this chapter, require the household goods carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than twenty-five thousand dollars ($25,000) on account of bodily injuries to, or death of, one person; and protection against a total liability of the household goods carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than fifty thousand dollars ($50,000); and protection in an amount of not less than ten thousand dollars ($10,000) for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

5162 The protection required under this article shall be evidenced by the deposit with the commission covering each vehicle used or to be used under the permit applied for.

(1) Of a policy or policies of insurance, issued by a company licensed to write such insurance in this State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State

5163 With the consent of the commission a copy of an insurance policy, certified by the company issuing it to be a true copy of the original policy, or a photostatic copy therof, or an abstract of the provisions of the policy, or a certificate of insurance

issued by the company issuing the policy, may be filed with the commission in lieu of the original or a duplicate of counterpart of the policy.

5164. The protection against liability shall be continued in effect during the active life of the permit. The policy of insurance or surety bond shall not be cancelable on less than thirty (30) days written notice to the commission

5165 The commission may establish such rules as are necessary to enforce this article.

Article 4. Rates

5191. The commission shall, upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, and nondiscriminatory maximum or minimum or maximum and minimum rates to be charged by any household goods carrier for the transportation of property subject to this chapter and for accessorial service performed in connection therewith.

In establishing or approving such rates the commission shall give due consideration to the cost of all of the transportation services performed, including length of haul, any additional transportation service performed, or to be performed, to, from, or beyond the regularly established termini of common carriers or of any accessorial service, the value of the commodity transported, and the value of the facility reasonably necessary to perform the transportation service.

5192. In the event the commission establishes minimum rates for transportation services by household goods carriers, the rates shall not exceed the current rates of common carriers by land subject to the Public Utilities Act for the transportation of the same kind of property between the same points

5193. It is unlawful for any household goods carrier to charge or collect any lesser rate than the minimum rate or greater rate than the maximum rate established by the commission under this chapter.

5194 The commission shall make such rules as are necessary to the application and enforcement of the rates established or approved pursuant to this chapter.

5195. If any household goods carrier desires to perform any transportation or accessorial service at a lesser rate than the minimum established rates, the commission shall, upon finding that the proposed rate is reasonable, authorize the lesser rate.

5196 No household goods carrier shall charge, demand, collect, or receive for the transportation of property subject to this chapter, or for any service in connection therewith, rates or charges less than the minimum rates and charges or greater than the maximum rates and charges applicable to such transportation established or approved by the commission; nor shall any such carrier directly or indirectly pay any commission or refund, or remit in any manner or by any device any portion of the rates or charges so specified, except upon authority of the commission

5197. No household goods carrier, or any officer, or agent thereof, or any person acting or employed by it, shall, by means of known false billing, classification, weight, weighing or report of weight, or by any other device, assist, suffer, or permit any corporation or person to obtain transportation for any property between points within this State at rates less than the minimum rates or more than the maximum rates than established or approved by the commission

5198. No person, corporation, or any officer, agent, or employee of a corporation shall, by means of false billing, false or incorrect classification, false weight or weighing, false representation as to the content or substance of a package, or false report or statement of weight, or by any other device of means, whether with or without the consent or connivance of a household goods carrier, or any of its officers, agents, or employees, seek to obtain or obtain transportation for property at less than the minimum rates or charges or more than the maximum rates or charges established or approved by the commission.

5199 No person or corporation, or any officer, agent, or employee of a corporation, shall knowingly, directly or indirectly by any false statement or representation as to cost or value or the nature or extent of damage, or by the use of any false billing, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit or deposition, or upon any false, fictitious, or fraudulent statement or entry, obtain or attempt to obtain any allowance, rebate, or payment for damage in connection with or growing out of the transportation of property subject to this chapter, or an agreement to transport property subject to this chapter, whether with or without the consent or connivance of a household goods carrier, or any of its officers, agents, or employees No household goods carrier or any of its officers, agents, or employees shall knowingly pay, or offer to pay any such allowance, rebate, or claim for damage.

Article 5. Reports, Records, and Inspections

5221. The commission may require annual, periodical, or specials reports to be filed by all household goods carriers, prescribe the manner and form in which reports shall be made, and may require specific answers to all questions upon which the commission deems information to be necessary The reports shall be under oath whenever the commission so requires.

5222 The commission may require any household goods carrier to file with it a true copy of any contract, agreement, or arrangement between the carrier and any other carrier in relation to any traffic affected by this chapter.

5223. The commission may prescribe the forms of any accounts, records, and memoranda, including those pertaining to the movement of traffic and the receipt or expenditure of money, to be kept by household goods carriers, and the length of time the accounts, records, and memoranda shall be preserved.

5224. Where the commission has prescribed the forms of accounts, records, and memoranda to be kept by household goods carriers for any of its business, it is unlawful for any household goods carrier to keep any accounts, records, or memoranda for such business other than those so prescribed or those prescribed by or under the authority of any other state or of the United States, excepting such accounts, records, or memoranda as are explanatory of and supplemental to the accounts, records, or memoranda prescribed by the commission.

5225. The commission or its authorized employees, representatives, or inspectors shall at all times have access to all lands, buildings, or equipment of household goods carriers used in connection with the operation of their business as such carriers in this State, and also all accounts, records, and memoranda, including all documents, books, papers, and correspondence kept or required to be kept by household goods carriers.

5226. The employees, representatives, and inspectors of the commission may, under its order or direction, inspect and examine any lands, buildings, equipment, accounts, books, records, and memoranda, including all documents, papers, and correspondence kept or required to be kept by household goods carriers

5227. Sections 5221 to 5226, inclusive, shall, to the extent deemed necessary by the commission, apply to persons having control, direct or indirect, over or affiliated with any household goods carrier.

5228. Any employee of the commission who divulges any fact or information which comes to his knowledge during the course of the examination of the accounts, records, and memoranda of household goods carriers, except as he is authorized or directed by the commission or by a court of competent jurisdiction or judge thereof, is guilty of a misdemeanor and is punishable by a fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than three (3) months, or both.

Article 6. Proceedings

5251 Except as otherwise expressly provided, in all respects in which the commission has power and authority under the Constitution of this State or this chapter, applications and complaints may be made and filed with the commission, process issued, hearings held, opinions, orders, and decisions made and filed, petitions for rehearing filed and acted upon, and petitions for writs of review or mandate filed with the Supreme Court of this State, considered and disposed of by the Supreme Court, in regard to the matters provided for in this chapter, in the same manner, under the same conditions and subject to the same limitations, and with the same effect specified in the Public Utilities Act, so far as applicable.

5252 Service of all process and orders instituting investigation in all proceedings, complaints, investigations, or hearings brought or pending before the commission pursuant to this chapter, may be made upon any person upon whom a summons may be served, in accordance with the Code of Civil Procedure

5253. Service of all process and orders, decisions and orders, orders and notices in all such proceedings, investigations, complaints and hearings may be made personally or by the deposit in the United States mail of a sealed envelope with postage prepaid, containing a true copy of the paper to be served and addressed to the person to be served at his last known address as shown by the records of the commission.

5254. Service by personal delivery is complete upon delivery to the person to be served of a true copy of the paper to be served. Service by mail is complete upon the expiration of four days after the deposit of the notice

Proof of service may be made by the certificate of any officer or employee of the commission or the affidavit of any person over the age of 18 years, naming the person served and specifying the time, place, and manner of service

5255. In all proceedings instituted by or pending before the commission pursuant to this chapter, the commission may from time to time make such interim, interlocutory, or other orders as it deems advisable No such order shall operate as a final determination of the proceeding, and the commission may at any time thereafter make such further orders as it deems advisable with respect to the matters considered and determined in the order or to other matters involved in the proceeding.

5256 After the making of an interim, interlocutory, or other order, any party to the proceeding or any stockholder or bondholder or other party pecuniarily interested in the household goods carrier affected may file a petition for rehearing, within the time and for the reasons provided in Sections 1731 to 1736, inclusive, and the commission may act upon the petition within the time and in the manner provided therein

5257 Any interim, interlocutory, or other order may be reviewed as provided in Sections 1756 to 1759, inclusive Upon such review, only that portion of the record in the proceeding considered by the commission and upon which it acted in making the order sought to be reviewed, need be certified to and considered by the Supreme Court.

5258. No person shall be excused from attending and testifying or from producing any book, document, paper, or account in any investigation or inquiry by or hearing before the commission or any commissioner or examiner, or in obedience to the subpena of the commission, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of any of the provisions of this chapter, when ordered to do so, upon the ground that the testimony or evidence, book, document, paper, or account required of him may tend to incriminate him or subject him to penalty or forfeiture, but no person shall be prosecuted, punished, or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which, under oath, he has testified or produced documentary evidence before the commission, or in obedience to its subpena, or in any such cause or proceeding No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

5259. Whenever the commission is of the opinion that any household goods carrier is failing or omitting or about to fail or omit, to do anything required of it by law, or by any order, decision, rule, direction, or requirement of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, in violation of law or of any order, decision, rule, direction, or requirement of the commission, it may direct the attorney of the commission to commence an action or proceeding in the superior court in and for the county, or city and county, in which the cause or some part thereof arose, or in which the corporation complained of has its principal place of business, or in which the person complained of resides, for the purpose of having such violations or threatened violations stopped and prevented, either by mandamus or injunction. The attorney of the commission shall thereupon begin such action or proceeding in the name of the people of the State of California, by petition to such superior court, alleging the violation or threatened violation complained of and praying for appropriate relief by way of mandamus or injunction

5260 Upon the filing of such a petition, the court shall specify a time, not exceeding 20 days after the service of the copy of the petition, within which the household goods carrier complained of shall answer the petition, and in the meantime the carrier may be restrained. In case of default in answer, or after answer, the court shall immediately inquire into the facts and circumstances of the case. Such corporations or persons as the court deems necessary or proper to be joined as parties, in order to make its judgment, order or writ effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that the writ of mandamus or injunction issue or be made permanent as prayed for in the petition, or in such modified or other form as will afford appropriate relief An appeal may be taken to the Supreme Court from such final judgment in the same manner and with the same effect as appeals are taken from judgments of the superior court in other actions for mandamus or injunction

Article 7 Suspension and Revocation of Permits

5281. The commission may, at the request of any household goods carrier, suspend the operating permit of the carrier for a definite time during which it is unlawful for the carrier to conduct any operations as a household goods carrier.

5282 Upon such suspension of a permit the commission shall thereupon require the removal from any vehicle operated thereunder and the surrender to the commission of any distinctive symbols or license plates which have been issued therefor

5283 Upon the termination of the period of suspension the commission shall restore the permit and return to the carrier the distinctive symbols or license plates surrendered or issue such other symbols or license plates as are necessary

5284. A permit shall remain in effect until suspended or terminated as provided in this chapter Any permit not exercised for a period of six months shall lapse and terminate No permit shall be sold, leased, assigned or otherwise transferred or encumbered by the holder thereof without first having secured from the commission an order authorizing the same. Any such sale, lease, assignment, transfer or encumbrance made otherwise than in accordance with the order of the commission authorizing the same shall be void.

5285 The commission may cancel, revoke, or suspend the operating permit or permits of any household goods carrier upon any of the following grounds:

(1) Any illegally conducted household goods carrier operations

(2) The violation of any of the provisions of this chapter or of any operating permit issued thereunder.

(3) The violation of any order, decision, rule, regulation, direction, demand, or requirement, established by the commission pursuant to this chapter

(4) The conviction of the household goods carrier of any misdemeanor under this chapter.

(5) The rendition of a judgment against the household goods carrier for any penalty imposed under this chapter

(6) The failure of a household goods carrier to pay any fee imposed upon the carrier within the time required by law

5286. After the cancellation or revocation of a permit or during the period of its suspension, it is unlawful for a household goods carrier to conduct any operations as such a carrier. The commission may either grant or deny an application for a new permit whenever it appears that a prior permit of the applicant has been canceled or revoked pursuant to Section 5285, or whenever it appears, after hearing, that as a prior permit holder, the applicant engaged in any of the unlawful activities set forth in Section 5285 for which his permit might have been canceled or revoked.

Article 8. Fines and Penalties

5311. Every household goods carrier and every officer, director, agent, or employee of any household goods carrier who violates or who fails to comply with, or who procures, aids, or abets any violation by any household goods carrier of any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or of any operating permit issued to any household goods carrier, or who procures, aids, or abets any household goods carrier in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, requirement, or operating permit, is guilty of a misdemeanor, and is punishable by fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than three months, or both.

5312. Every corporation or person other than a household goods carrier, who knowingly and wilfully, either individually, or acting as an officer, agent, or employee of a corporation, copartnership, or any other person other than a household goods carrier, violates any provision of this chapter or fails to observe, obey, or comply with any order, decision, rule, regulations, direction, demand, or requirement of the commission, or who procures, aids, or abets any household goods carrier in its violation of this chapter, or in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, or requirement, is guilty of a misdemeanor, and is punishable by a fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than three months, or both

5313. Every household goods carrier and every officer, director, agent, or employee of any household goods carrier who violates or who fails to comply with, or who procures, aids, or abets, any violation by any household goods carrier of any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or of any operating permit issued to any household goods carrier, or who procures, aids, or abets any household goods carrier in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, requirement, or operating permit is subject to a penalty of not more than five hundred dollars ($500) for each offense.

5314. Every corporation or person other than a household goods carrier who knowingly and wilfully, either individually, or acting as an officer, agent, or employee of a corporation, copartnership, or any other person other than a household goods carrier, violates any provision of this chapter or fails to observe, obey, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or who procures, aids, or abets any household goods carrier in its violation of this chapter, or in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, or requirement, is subject to a penalty of not more than five hundred dollars ($500) for each offense.

5315. Every violation of the provisions of this chapter or of any order, decision, decree, rule, direction, demand, or requirement of the commission by any corporation or person is a separate and distinct offense, and in case of a continuing violation each day's continuance thereof is a separate and distinct offense.

5316 All penalties accruing under this chapter are cumulative, and a suit for the recovery of one penalty does not bar or affect the recovery of any other penalty or forfeiture or bar any criminal prosecution against any person or corporaation, or any officer, director, agent or employee thereof, or any other corporation or person, or bar the exercise by the commission of its power to punish for contempt.

5317. Actions to recover penalties under this chapter shall be brought in the name of the people of the State of California, in the superior court of the county, or city and county, in which the cause or some part thereof arose, or in which the corporation complained of, if any, has its principal place of business, or in which the person, if any, complained of, resides. The action shall be commenced and prosecuted to final judgment by the attorney of the commission.

5318 In any such action, all penalties incurred up to the time of the commencement of the action may be sued for and recovered. In all such actions, the procedure and rules of evidence shall be the same as in ordinary civil actions.

5319. All penalties recovered by the State in any action pursuant to this chapter, together with the costs thereof, shall be paid into the State Treasury to the credit of the General Fund. Any such action may be compromised or discontinued on application of the commission upon such terms as the court approves and orders.

SEC. 26. Section 25 of this act becomes operative only if Division 2 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 1 to 24, inclusive, of this act are repealed."

Amendment No. 26

On page 2, line 31, of the printed bill, as amended in the Senate on May 16, 1951, after "engaged", insert "exclusively".

Amendment No. 27

On page 2, line 49, of said bill, as amended, after "exclusively", insert a comma.

Amendment No. 28

On page 13, line 46, of said bill, as amended, after "engaged", insert "exclusively".

Amendment No. 29

On page 14, line 10, of said bill, as amended, after "fixtures", insert "exclusively,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2923 by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Tomlinson, and Waters—42

NOES—Coats, George D Collins, Conrad, Fleury, Hagen, Henderson, Lipscomb, McFall, Moss, Sherwin, and Smith—11.

Notice of Motion to Reconsider Concurrence in Senate Amendments to Assembly Bill No. 2923

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Senate amendments to Assembly Bill No. 2923 were this day concurred in.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 3159 was passed, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, and Waters—64.

NOES—None

Resolution ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

My absence from the Assembly Chamber this morning was due to my attendance before the Senate Committee on Elections commencing at 9 00 a.m

ARTHUR H. CONNOLLY, JR.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1248 HOLD PLACE ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 1248 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1954 HOLD PLACE ON FILE

Mr. Moss asked for, and was granted, unanimous consent that Assembly Bill No. 1954 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 206—An act to amend Section 420 of, and to add Section 429.6 to, the Fish and Game Code, relating to sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Hollibaugh, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Stewart, and Tomlinson—44

NOES—Fleury, Hagen, Henderson, Hinckley, Kirkwood, Moss, Shaw, Waters, and Mr. Speaker—9

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1055

Mr. Coats asked for, and was granted, unanimous consent to take up Senate Bill No. 1055, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1055

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "the crediting of average daily attendance to".

Amendment No. 2

On page 1 of said bill, between lines 15 and 16, insert

"Notwithstanding anything in Chapter 15 of this division to the contrary, if average daily attendance of one school district, hereinafter referred to as the "original school district", is credited to a new school district under this section, the amounts allowed by the Superintendent of Public Instruction as state equalization aid to the original school district and to the new school district during the first fiscal year in which an apportionment is made to the new school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the units of average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily

attendance to the new school district. He shall allow to the original school district as state equalization aid the amount computed by multiplying the resulting quotient by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the new school district. He shall allow the new school district as state equalization aid the amount computed by multiplying the same quotient by the units of average daily attendance credited to the district under this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 148

By Messrs. Beck, Hollibaugh, Rosenthal, Hinckley, Cooke, Shaw, Stanley, Babbage, Tomlinson, Luckel, and Kelly:

House Resolution No. 148

Relating to memorializing the Federal Government to locate regional mobilization offices at Los Angeles

WHEREAS, Optimum efficiency of any agency in constant contact with the population of several localities is attained only by location in the most populous locality, whether or not other areas are in that same jurisdiction; and

WHEREAS, The highest degree of autonomy for finality of decision consistent with national direction, furnished by a regional office, must exist at that location, and

WHEREAS, In the Western States, Los Angeles is the most populous area; the Southern California area contains 42 percent of the population, 46 percent of industrial production, and is performing 70 percent of the present war contracts of the three coastal states; and

WHEREAS, In World War II Los Angeles was the second largest war industry center in the Nation; its rate of increase has been the most phenomenal in the Nation; its retail demand is third nationally; and

WHEREAS, For Los Angeles the closest regional office administering the Defense Mobilization Program is 400 miles away; and

WHEREAS, Unnecessary expenditure of time and funds in travel and phone calls by private citizens and by the government, as in the last war, threatens to result again, unless such a regional office is located in Los Angeles; and

WHEREAS, Such inefficient extension of transportation and communication creates military vulnerability; and

WHEREAS, Regional offices could be established in Los Angeles at the present district offices with a modicum of expense to be saved by the elimination of a step in administration of the program for the most important area in the Western States; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and Administrators of the Defense Mobilization Program be respectfully memorialized to establish a regional office in Los Angeles for the Southern California-Arizona region, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Honorable Harry S Truman, President of the United States, David Stow, Administrative Assistant to the President at the Old State Building, Oscar Chapman, Secretary of the Interior, Eric Johnston, Economic Stabilization Administrator, William H Harrison, Defense Production Administrator, Michael DiSalle, Director of Price Stabilization, Charles E Wilson, Director of Defense Mobilization, and Harry R Sheppard, M. C., Chairman, California Delegation, all in Washington, D. C.

Resolution read, and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1903—An act to amend Sections 2 and 8 of, and to add Section 4.1 to, an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2281—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—63.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 37—Relative to federal aid for defense highway projects.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 38—Relative to the reopening of Birmingham General Hospital.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 302

At 11.11 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 302 refused passage by the following vote:

AYES—Berry, Brady, Chapel, Clarke, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grant, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Porter, Rumford, Stewart, Tomlinson, and Waters—35

NOES—Beck, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, Conrad, Davis, Dunn, Evans, Geddes, Gubser, Hagen, Hahn, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, McFall, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, and Smith—31.

Notice of Motion to Reconsider Assembly Bill No. 302

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 302 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1582

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1582, temporarily passed on file, for purpose of amendment

CONSIDERATION OF ASSEMBLY BILL NO. 1582

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 23, 1951, strike out "immediately prior to", and insert "on".

Amendment No. 2

On page 1, line 5, of said bill, after "revoked", insert "because of the Japanese ancestry of the licensee".

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 8, inclusive, and insert "expire by such Japanese, may at any".

Amendment No. 4

On page 1, line 15, of said bill, after "application", insert "hereunder".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 11.16 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2601

Mr. Cooke asked for, and was granted, unanimous consent to take up Assembly Bill No. 2601, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2601

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2086, on request of Mr. Grant.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: *Your Committee on Public Health, to which were referred:*

Senate Bill No. 731
Senate Bill No. 820

Has had the same under consideration, and reports the same back with amendments with the *recommendation: Amend, and re-refer to the committee.*

CONNOLLY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 3410:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 24, 1951

To the Honorable Members of the Assembly
State of California

GENTLEMEN:

Assembly Bill No. 3410, "An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This bill provides for the continuance of child care centers and makes an appropriation to assist in their operation. It is important that those charged with the responsibility of maintaining these centers should know at the earliest possible moment whether such centers are to be continued in order that they may make the necessary plans for their operation.

I, therefore recommend consideration of Assembly Bill No. 3410 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, and Waters—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, Tomlinson, and Waters—63.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1226	Assembly Bill No. 1238
Assembly Bill No. 1229	Assembly Bill No. 1239
Assembly Bill No. 1231	Assembly Bill No. 1937
Assembly Bill No. 1233	Assembly Bill No. 2570
Assembly Bill No. 1237	Assembly Bill No. 2571

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3074

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No. 3074, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3074

Assembly Bill No. 3074—An act to add Section 4 to the Fish and Game Code, relating to the taking of private land for public use.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Tomlinson, and Waters—53.

NOES—George D Collins and Hagen—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1730 AND 1731 HOLD THEIR PLACES ON FILE

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bills Nos. 1730 and 1731 be passed on file, and hold their places on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 293
Assembly Bill No. 751
Assembly Bill No. 2009
Assembly Bill No. 2329
Assembly Bill No. 3094
Assembly Bill No. 3166
Assembly Bill No. 3435

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos 2329 and 3094 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 293 and 3435 re-referred to the Committee on Agriculture.

Assembly Bill No. 751 re-referred to the Committee on Fish and Game.

Assembly Bill No. 3166 re-referred to the Committee on Social Welfare.

Assembly Bill No. 2009 re-referred to the Committee on Finance and Insurance.

Senate Bill No. 1576 re-referred to the Committee on Ways and Means.

Senate Bill No. 1586 re-referred to the Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 869

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Assembly Bill No. 869, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 869

Assembly Bill No. 869—An act to add Article 2.5 to Chapter 10 of Division 3 of the Education Code, relating to the collections and apportionment of a County School District Equalization Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burkhalter, Chapel, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Fleury, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Parker, Porter, Rumford, Sherwin, Tomlinson, and Waters—43.

NOES—Beck, Cloyed, Collier, Dills, Geddes, Hahn, Hollibaugh, Kilpatrick, Lipscomb, Luckel, Morris, Munnell, Niehouse, Shaw, and Stewart—15.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SENATE CHAMBER, SACRAMENTO, May 25, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly

DEAR SIR: I am directed by the Senate to respectfully request your honorable body to return Assembly Bill No. 3384 to the Senate for further consideration.

Very truly yours,

J. A. BEEK
Secretary of the Senate

ASSEMBLY BILL NO. 3384 RETURNED TO SENATE

By unanimous consent, Assembly Bill No. 3384 was ordered returned to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1903 BE RE-REFERRED TO COMMITTEE

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 1903 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1234—An act to amend Sections 8525, 8568, 8624, 8635, 8641, 8642, 8644, and 8651 of, and to add Sections 8653 and 8654 to, the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Grant, Hausen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Stewart, and Waters—44

NOES—Beck, Brady, George D Collins, Condon, Davis, Elliott, Geddes, Hagen, Hahn, Hollibaugh, Klocksiem, Levering, and Lowrey—13.

Bill ordered transmitted to the Senate.

Hon. Arthur H. Connolly, Jr., Presiding

At 12.05 p m., Hon. Arthur H. Connolly, Jr., Member of the Assembly from the Twenty-first District, presiding.

Assembly Bill No. 1235—An act to amend Sections 8514 and 8522 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1526—An act to amend Sections 8561, 8569, and 8570 of, and to add Sections 8516, 8517, and 8652 to, the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Tomlinson, and Waters—65.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 424, on request of Mr. Berry.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Constitutional Amendment No. 52, on motion of Mr. Elliott.

Speaker Pro Tempore Presiding

At 12.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUESTS FOR UNANIMOUS CONSENT THAT BILLS HOLD PLACES ON FILE

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 2313 be passed on file, and hold its place on file on the next legislative day.

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 1715 be passed on file, and hold its place on file on the next legislative day.

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2936 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2806

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 2806, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2806

Assembly Bill No. 2806—An act to amend Sections 3, 4, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54, 58, and 59 of and to repeal Sections 20, 35, 36, 42, 47, 53, 55, 56, and 57 of, and to add Section 4.1 to, the Parking Law of 1949, relating to off-street parking.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh,

Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, and Tomlinson—63.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Maloney asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2806, and that he be recorded as voting "Aye".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2433—An act to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677, and to amend Section 681, of the Elections Code, relating to election officers.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 123.5 to the".

Amendment No. 2

In line 3 of the title of said bill, strike out "election officers", and insert "registration of electors".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 123.5 is added to the Elections Code to read:

123.5 The election board in each county shall provide for the compensation of those persons who may be deputized by the county clerk as persons before whom affidavits of registration may be made, and who are not otherwise compensated pursuant to law. Such compensation shall be based upon the number of affidavits of registration received by each such person which are properly executed as determined by the county clerk, which compensation shall be not less than a minimum of 20 cents per affidavit."

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Connolly:

House Resolution No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Public Health, and any and all other matters relating to or affecting public health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly Standing Committee on Public Health for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby made available from the contingent fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Morris:

House Resolution No. 156

Relative to the powers of the Assembly Standing Committee on Manufacturing, Oil, and Mining Industry.

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Manufacturing, Oil, and Mining Industry is hereby authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydro-carbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; and

(c) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. Vacancies occurring or existing in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To meet at the State Capitol or at any other place in this State or within the United States.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mrs. Niehouse:

House Resolution No. 157

Relative to the Assembly Interim Committee on Social Welfare

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Social Welfare is hereby created and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Social Welfare for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Kilpatrick:

House Resolution No. 158

Relative to authorizing an investigation as to the background of State Senator Jack B. Tenney by the Assembly Judiciary Committee

WHEREAS, Information has been disclosed which raises questions as to the loyalty and the background of Senator Jack B. Tenney who has recently raised questions regarding the author of this resolution and other Members of the Assembly; and

WHEREAS, It appears that there are several references to Jack Tenney in the published records of the hearings of the Un-American Activities Committee of the United States Congress for the years 1938-1941, of which the Honorable Martin Dies was chairman, including an affidavit signed by Arthur James Kent, a self-admitted Communist, who declared that Jack Tenney was a card-carrying member of the Communist Party, the naming of Jack Tenney as a member of the American League for Peace and Democracy, a Communist front organization, and the listing of Jack Tenney as a sponsor on the letterhead of the Friends of the Abraham Lincoln Brigade, another Communist front organization; and

WHEREAS, In the Communist newspaper, the *People's World*, of February 2, 1939, a two-column cut picture of Jack Tenney and another person is printed, and the caption below the picture states "Two men in Sacramento who appreciate the *People's World's* efforts in behalf of progressive legislation Said Tenney, 'The *People's World* is the only paper in California that reports labor news unvarnished, untarnished and undiluted.'"; and

WHEREAS, It would appear from the foregoing that Senator Jack Tenney may not be properly qualified to make charges questioning the degree of Americanism of his fellows until these activities of his be clarified; now, therefore, be it

Resolved by the Assembly of the State of California, That Assembly Judiciary Committee is authorized and directed to investigate and report to the Assembly regarding these alleged subversive activities of Senator Jack B. Tenney.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Smith:

House Resolution No. 159

Relative to the creation of the Assembly Interim Committee on Air Pollution

WHEREAS, Conditions of air pollution resulting from the disposal of municipal and industrial wastes and arising from many other causes, are a hazard to the public health and are causing substantial economic damage in some regions of the State; and

WHEREAS, The meteorological conditions which account for California's unique climate at the same time render the regions of the State vulnerable to damage from pollution of the atmosphere; and

WHEREAS, Rapidly expanding population and industry pose a serious threat of air pollution in areas not now critically effected, and preventative action in those areas is of equal importance to corrective measures necessary elsewhere; and

WHEREAS, The state-wide problems of air pollution require continued study by the Legislature, particularly as to legislation which may be needed to make available uniform area-wide preventive measures in all regions of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Air Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to air pollution and procedure designed to abate, prevent and control the pollution of atmosphere in the various regions of the State, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the Committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Funds and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 68: By Messrs. Meyers, Maloney, Connolly, Brady, Berry, George D. Collins, Gaffney, and McCarthy—Relative to requesting proclamation designating September 17, 1951, as "Steuben Day."

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 31—Relating to the National Forest Highway System in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Smith, and Stewart—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 23—Relative to memorializing the President and the Congress of the United States to declare Napa County, State of California, a critical defense area for the purpose of obtaining financing of constructions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 302—An act to add Section 417 to the Code of Civil Procedure, relating to civil actions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 392

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Bill No. 392, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 392

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Bill read third time.

Demand for Previous Question

Messrs. Hansen, Henderson, Kelly, Moss, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 392.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Connolly, Cooke, Dickey, Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, and Tomlinson—46

NOES—Burke, Clarke, George D. Collins, Conrad, Davis, Doyle, Elliott, Gubser, Hahn, Hinckley, Lyon, McCollister, McMillan, Meyers, Sherwin, and Waters—16.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 393

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Bill No. 393, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 393

Senate Bill No. 393—An act to repeal Section 6006 of the Government Code, relating to newspapers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, and Tomlinson—61

NOES—Hinckley and Waters—2.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 396—An act to amend Section 6027 of the Government Code, relating to newspapers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stewart, and Tomlinson—49.

NOES—Beck, Burkhalter, Cooke, Doyle, Geddes, Hinckley, Lanterman, Lowrey, and Waters—9.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill No. 1742, entitled "An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined."

My objections to this bill are as follows:

For some years it has been customary for the Legislature to enact at least two validating measures which are identical except that one carries an urgency clause. Such action was taken this year. However, this measure, which is the validating act without the urgency clause, was amended in the Senate. By the amendment to Section 8 it is made to speak as of the time of signing rather than as of its effective date

I am advised by attorneys specializing in the field that this amendment gives this bill the same effect as Assembly Bill No. 1743 carrying the urgency clause. There is no necessity of approving both bills as they accomplish the same thing.

At the request of attorneys interested in the matter, and with the consent of the author, I am approving Assembly Bill No. 1743 and returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1742

May 25, 1951

I acknowledge receipt this twenty-fifth day of May, 1951, at 12 25 o'clock p m, of Assembly Bill No 1742, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 1742 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, Tomlinson, and Waters—63.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1951

To the Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 479, entitled: "An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges."

My objections to the bill are as follows:

I cannot believe that this bill is either essential or desirable for the administration of justice. There is a proceeding now available to any litigant who believes that a judge is prejudiced against his client. In that proceeding the judge has an opportunity to answer the charge, and the fact is determined by a disinterested judge. This bill provides that "No judge of any superior, municipal, justice or other inferior court of the State of California shall hear or try any action or proceeding when it shall be established as hereinafter provided that such judge is prejudiced against any party or attorney or the interest of any party or attorney appearing in such action or proceeding."

It then provides that the fact of prejudice will be established merely by the written or oral motion of counsel without notice supported by "affidavit that the judge before whom the action or proceeding is pending * * * is prejudiced * * * so that such party or attorney cannot or believes that he cannot have a fair and impartial trial before such judge."

There is no opportunity provided for the judge to disprove or even controvert the affidavit regardless of how scurrilous or libelous it may be concerning him. He would be automatically adjudged by law to be guilty of the facts charged and therefore unfit to discharge his judicial duty in the case.

This, it seems to me, can be used and I have no doubt would be used in instances to discredit a judge where no reasonable grounds exist. In such cases it would result in disgrace to the judge and discredit to the court. The bill provides that the motion of prejudice can be made at any time before the first juror is drawn in a jury case or before the first witness is sworn in, in a non-jury case which would make it a powerful instrument for delay in the trial of cases.

In counties that have one judge, the bill would give any recalcitrant lawyer the right to permanently disqualify from service, in any case in which such lawyer appears, the judge who had been elected by the people because of their confidence in him. I believe that it would be extremely detrimental to the orderly administration of justice.

The Chief Justice has expressed the view that the bill is undesirable in the following language:

"In my opinion, a procedure permitting peremptory disqualification of any judge upon the mere filing of an affidavit is undesirable. Section 170 of the Code of Civil Procedure establishes an adequate and fair method for disqualifying any justice, judge or justice of the peace on the grounds of bias and prejudice, among others, and provides that the hearing of such charge shall be before another judge."

Other judges have also pointed out to me the undesirability of the bill.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 479

May 25, 1951

I acknowledge receipt this twenty-fifth day of May, 1951, at 12.25 o'clock p m. of Assembly Bill No 479 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 479 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

NOES—Burke, Caldecott, Clarke, Conrad, Fleury, Geddes, Grant, Hansen, Hinckley, Lincoln, Lindsay, McCarthy, Moss, Stewart, and Waters—15.

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Hagen, Henderson, Hollibaugh, Klocksiem, Lanterman, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Parker, Rosenthal, Shaw, and Sherwin—35

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill No. 1317, entitled "An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols."

My reasons for objecting to this bill are as follows.

This bill provides that school pupils who are members of school safety patrols may assist pupils in crossing streets at school bus stops and may for that purpose ride school busses to such stops I have been asked to veto this bill by the Superintendent of Public Instruction, the Commissioner of the State Highway Patrol, the California Teachers Association and the California Congress of Parents and Teachers.

The Superintendent of Public Instruction points out that under the sections of the California Administrative Code on the subject, adopted by the State Board of Education, it is provided that when a school bus stops at a point where the traffic is not controlled and is discharging pupils who must cross a street or highway the bus shall not be moved until all the pupils have crossed the street or highway. The driver of the bus must not permit the pupils to cross the street or highway until they may safely do so and shall, if necessary, escort such pupils across the street or highway He reports that experience has shown that school bus drivers while performing their obligation under this section are often seriously injured. The task of directing traffic and protecting lives of pupils while they cross busy streets and highways requires the attention of adults rather than that of pupils.

The Commissioner of the State Highway Patrol reports that it is not good practice to place the control of high-speed traffic on children.

The California Teachers Association in objecting to the bill states that the use of children in traffic control in the areas immediately adjacent to schools is reasonably safe, because speed limits are posted and maintained in school zones and supervisory personnel is available. Such is not the case at points along the highway, where traffic travels at extremely high speeds and no warning signs exist. The presence of safety patrol members at such locations would serve only to give children traveling on school busses a false sense of security and protection which the facts would not warrant

The California Congress of Parents and Teachers recommends that the bill be not signed because of the hazards and liabilities that would be involved in permitting members of school traffic patrols to ride busses and direct traffic as children get off the busses The Congress has reluctantly approved any school traffic patrol control of traffic near schools and adjoining schoolgrounds. They believe the responsibility for traffic patrol belongs to the police and highway patrol and not to school districts or school pupils

This session of the Legislature has made one provision which will be of great assistance in connection with this problem. I refer to Assembly Bill No 1701, which is now Chapter 414, Statutes of 1951, and which provides for flashing red lights on school busses to be operated when the busses are receiving or discharging passengers. All motorists are required to stop when busses are receiving or discharging passengers and are flashing the warning red light required by this bill

Because of the hazard to the pupils involved, as pointed out by the officers and organizations to which I have referred, I am returning this bill without my signature.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No 1317

May 25, 1951

I acknowledge receipt this twenty-fifth day of May, 1951, at 12.25 o'clock p.m. of Assembly Bill No 1317 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 1317 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind

Bill read third time, and ordered passed on file; to hold its place on file on the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. George D. Collins (By request of Mr Maloney):

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Section 18674.5 to the Business and Professions Code, relating to boxing contests and sparring matches.

Respectfully submitted.

GEORGE D. COLLINS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr George D Collins (By request of Mr. Maloney):

An act to add Section 18674.5 to the Business and Professions Code, relating to boxing contests and sparring matches

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, and Waters—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3441: By Mr. George D Collins (By request of Mr. Maloney)—An act to add Section 18674 5 to the Business and Professions Code, relating to boxing contests and sparring matches.

Referred to Committee on Boards and Commissions.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

Respectfully submitted.

LLOYD W. LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lowrey:

An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, and Waters—61

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3442: By Mr. Lowrey—An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees

Referred to Committee on Rules

RESOLUTIONS

The following resolution was offered:

By Mr. Kilpatrick:

House Resolution No. 160

Relative to authorizing an investigation as to the background of State Senator Jack B Tenney by the Assembly Judiciary Committee

WHEREAS, Information has been disclosed which raises questions as to the loyalty and the background of Senator Jack B Tenney who has recently raised questions regarding the author of this resolution and other Members of the Assembly and Senate; and

WHEREAS, It appears that there are several references to Jack Tenney in the published records of the hearings of the Un-American Activities Committee of the United States Congress for the years 1938-1941, of which the Honorable Martin Dies was chairman, including an affidavit signed by Arthur James Kent, a self-admitted Communist, who declared that Jack Tenney was a card-carrying member of the Communist Party, the naming of Jack Tenney as a member of the American League for Peace and Democracy, a Communist front organization, and the listing of Jack Tenney as a sponsor on the letterhead of the Friends of the Abraham Lincoln Brigade, another Communist front organization (pages 2084, 6278, and 7728-9); and

WHEREAS, In the Communist newspaper, the *People's World*, of February 2, 1939, a two-column cut picture of Jack Tenney and another person is printed, and the caption below the picture states "Two men in Sacramento who appreciate the *People's World's* efforts in behalf of progressive legislation. Said Tenney, '*The People's World* is the only paper in California that reports labor news unvarnished, untarnished and undiluted.'"; and

WHEREAS, It would appear from the foregoing that Senator Jack Tenney may not be properly qualified to make charges questioning the degree of Americanism of his fellows until these activities of his be clarified; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Judiciary Committee is authorized and directed to investigate and report to the Assembly regarding these alleged subversive activities of Senator Jack B Tenney

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO RECONSIDER VOTE ON WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 3435

Mr. Levering gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3435 was this day withdrawn from committee, and re-referred.

Motion to Take Up Notice of Motion to Reconsider at this Time

Mr. Dunn moved that the notice of motion, by Mr. Levering, to reconsider the vote whereby Assembly Bill No. 3435 was withdrawn from committee and re-referred be taken up, at this time.

Mr. Hollibaugh seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, George D Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Waters—44.

NOES—Burke, Clarke, Cloyed, Grant, Hansen, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, McCollister, Porter, Sherwin, Stewart, and Tomlinson—16.

Motion to Reconsider Withdrawal and Re-reference of Assembly Bill No. 3435

Mr. Levering moved that the vote whereby Assembly Bill No. 3435 was withdrawn from committee and re-referred be reconsidered.

The roll was called, and reconsideration refused by the following vote:

AYES—Clarke, Cloyed, Gubser, Hagen, Hansen, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, McCollister, McFall, Sherwin, and Stewart—15

NOES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig,

Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Waters—45.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 554
Assembly Bill No. 643
Assembly Bill No 1315
Assembly Bill No. 1605
Assembly Bill No. 1856
Assembly Bill No. 1982
Assembly Bill No. 2041
Assembly Bill No 2529
Assembly Bill No 3037

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No 313
Assembly Bill No. 701
Assembly Bill No 982
Assembly Bill No. 1054
Assembly Bill No 1078
Assembly Bill No. 2280
Assembly Bill No. 2599

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 155
Senate Bill No. 365
Senate Bill No. 456
Senate Joint Resolution No 8

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 164—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county;

Assembly Bill No. 184—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations;

Assembly Bill No. 306—An act to amend and renumber Section 4571 of the Elections Code, relating to election campaigns,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 830—An act to amend Sections 1302 and 1303 of the Education Code, relating to the employment of associate superintendents of schools and the terms of office of school superintendents, associate superintendents, and deputy and assistant superintendents;

Assembly Bill No. 977—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers,

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1149—An act to amend Sections 6728 and 6757 of, and to add Sections 6701.5 and 6742.5 to, the Elections Code, relating to elections conducted under the punch card voting system;

Assembly Bill No. 1222—An act to amend Sections 6736 and 6799 of the Business and Professions Code, relating to the practice of professional engineering;

Assembly Bill No. 1291—An act to amend Section 5901 of the Education Code, relating to school district revolving cash funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1521—An act to amend Sections 1648.5, 1672, and 1711.2 of the Insurance Code, relating to the issuance of licenses to act as insurance brokers or agents or life agents to nonresidents;

Assembly Bill No. 1523—An act to amend Sections 202, 12003 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund;

Assembly Bill No. 1566—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1705—An act to amend Sections 2802, 3462, 3591, and 3661 of the Education Code, relating to the formation of school districts;

Assembly Bill No. 2078—An act to add Section 210 to the Unemployment Insurance Act, relating to benefits during hospitalization;

Assembly Bill No. 2254—An act to amend Section 20945 and 20795 of the Education Code, relating to California School for the Blind and the California School for the Deaf;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3199—An act to amend Sections 14722 and 14720.1 of the Education Code and to add Section 14720.2 to said code, all relating to district retirement systems;

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State;

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, and 209 of, and to add Sections 209.1, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3400—An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the

City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Major Ray J. Thomas of Georgia and Captain Griffis Deneen of Michigan.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Jasper Marlow and Mrs. Marlow, teachers, and the following pupils of the Bonita School: Tony Escobar, Arline Lemos, Lewis Wright, Norman Perry, Phillip Lopez, Mary Clifton, Leland Bailey, Joan Grisez, Andrew Pires, Daniel Contreros, Sally De Angeles, Lauerne Souza, Llaydene Filippini, Jack Gordon, Emil Perry, Bobby Balentine, James McGee, George Lema, and Landrie Berberia; and Rosa Caleya (driver).

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Charles Parke, teacher, Mrs. Mel Hultgren and Mrs. Carl Hultgren, adults, and the following pupils of the Winton School: James Batten, Donald Becker, Robert Esau, Gonzales Flores, Bobby Foster, Donald Giesbrecht, Kenneth Giesbrecht, Wilbert Giesbrecht, Santos Gonzales, Ray Grammar, Marvin Heppner, James Houston, Anthony Lopez, Wayne Martin, David Pullin, Jose Romero, Ben Schmidt, Stan Schmidt, David Springstun, George Starling, Wayne Stephens, Bob Suit, Vernol Wutzke, Clio Baldridge, Wilma Davis, Alice Hayes, Virginia Holmes, JoAnn Hultgren, Barbara Kane, Elaine Koehn, Pearl Koehn, Shirley Koehn, Phyllis Loewen, Janice Machado, Hilda Neufeld, Jerry Ann Nye, Mary Lou Prows, Carol Ratzloff, Frances Romero, and Elvira Villanueva.

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Assemblyman and Mrs. Robert Justice of Logansport, Indiana, and Bobby and Jonathan Justice.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Jackson School: Fay Aubrey, Lyman Bennett, Diane Biven, Enrico Cassinelli, George Chulick, Gene Coltrell, William Cranfill, Eugene Crider, Joanne Cuneo, Geraldine Daneri, Gerald Darden, Harold Darden, Frank Daytan, Nancy Faulkenberry, Elaine Fuentus, Luke Glavenich, Lee Ann Habig, Louis Ianni, Bobby Jones, John Klarich, Thomas Maggi, Patsy Molfino, Mamie McCrorey, Viva McCrorey, Donald McLane, Dean Ninnis, James Parlin, John Pierovich, Joan Rule, Ida Mae Sanders, Donald Scapenzzi, Jo-Ann Shepherd, Belva Smith, Irene Smith, Clinton Stahl, Richard Stanfield, Jim Swabada, and Deanna Vela.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mary King, Gene Forbes, and Gem R. Davis Jr., teachers, Mesdames Halvorsen, DiMaggio, Walden, Rhorer, Sievert, Thibodeaux, and Thomphson, adults, and the following pupils of the Clayton Valley School: Sydney Schwartz, Dennis Slate, Clyde Thompson, Donald White, Dianna Clark, Sharon Hatfield, Claudia Herren, Judith Hilderbrand, Lindred Jones, Robin Kling, Susan Olsen, Barbara Putman, Ann Ready, Jewell Sanders, Julie Short, Jodee Sobotka, Barbara Tolle, Billie Tolle, Donald Anderson, Martin Atilano, Virginia Augustine, Elma Becker, Beverly Bispo, Sylvia Buck, Arthur Crowell, Billy Crummett, Betty Delamater, Rose DiMaggio, Jerry Duarte, Sally Fawcett, Richard Galli, Carol Hartley, Arthur Hartman, Lois Hilder, Ronnie Loveridge, James Lucas, Arlene Ludricks, John Mathews, Delbert Matz, Clifford Mores, Roberta Nicholson, Peggy Perkins, Nadine Robinson, Dorothy Sievert, Jim Skaggs, Bill Sobotka, Beverly Vochatzer, Jack Dunn, Robert Hedges, Joanne Foster, Shirley Kirkland, Henry Pellett, Jerry Sapp, Jim Thibodeaux, Mary Walden, Frank Wagner, Carma Williams, Betty Wetzel, Marilyn Calderwood, Helen Stephens, Ronnie Rhorer, Barbara Halvorsen, Harold Bartke, Ronald Cataldo, Donald Coleman, Thomas DiMaggio, Thomas Duncan, Abraham Garcia, John Hatley, and George Itanen.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Little, teacher, Mrs. Sommerfeld and Mrs. Southwick, adults, and the following pupils of the French Camp School: Robert Ordaya, Charles Clemons, Charles Smith, Harlene Dubber, Douglas Sommerfeld, Sammy Sato, Earl Sato, Danny Southwick, Oliver Owens, Roger Sibert, Irene Conchola, Beverly Cavalar, Elaine Porter, Bill Morris, Bernard Daviner, Tommy Walker, Tommy Colwell, Helen Shiromizu, Kenny Thompson, Floanne Hinton, Bernard Daviner, Mary Ovando, Mary Moreno, Joelle Mercado, Richard Simas, Douglas Phifer, Fred Holden, Ronald Gott, Stanley Steveas, Laura Krumweide, Hajime Hayashida, Carolyn Scott, Paul Harris, Ruby Lee Brooks, Kent Godding, and Charles Griggs.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to J. P. Poteet of San Diego.

On request of Messrs Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to L. S. Whaley and R. D. Whaley of Long Beach.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Tallman H. Trask of Pasadena.

On request of Messrs. Evans and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Carol Evans of Los Angeles.

ADJOURNMENT

At 1 02 p m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, May 28, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY

NINETY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 28, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holthaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, Our Father, We seek Thy presence and Thy guidance We pray for our beloved Nation this day, that under God we may have a new birth of freedom; and that government of the people, by the people, and for the people shall not perish from the earth.

May the Flag, the emblem of our united struggle for liberty and justice, long wave above us Bless those who serve in our Armed Forces and all who are in authority in State and Nation and the United Nations.

Grant peace to the weary nations of this world.

"Too long has hate and wrath conspired
Till truth was scourged and sacrificed;
Too long we wait for the day desired—
The day of Peace, the Swordless Christ!"

We pray it in the name of the Prince of Peace.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Porter, further reading of the Journal of the previous legislative day was dispensed with.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1250	Assembly Bill No. 3183
Assembly Bill No. 1579	Assembly Bill No. 3270
Assembly Bill No. 2252	

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 827	Assembly Bill No. 1695
Assembly Bill No. 1228	Assembly Bill No. 2449
Assembly Bill No. 1230	Assembly Bill No. 2801
Assembly Bill No. 1232	Assembly Bill No. 3109
Assembly Bill No. 1236	Assembly Bill No. 3422

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15	Assembly Bill No. 2433
Assembly Bill No. 593	Assembly Bill No. 2929
Assembly Bill No. 1582	Assembly Bill No. 3390

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 634	Assembly Bill No. 2894
Assembly Bill No. 2188	Assembly Bill No. 3090
Assembly Bill No. 2286	Assembly Bill No. 3188
Assembly Bill No. 2331	Assembly Bill No. 3318
Assembly Bill No. 2631	Assembly Bill No. 3437

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2286 and 3090 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 3183 and 2631 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1579, 2252, 3318, 3437, 2894, and 2331 re-referred to the Committee on Public Health.

Assembly Bills Nos. 2188 and 3188 re-referred to the Committee on Education.

Assembly Bills Nos. 634 and 3270 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1250 re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 465 re-referred to the Committee on Education

Senate Bill No. 1085 re-referred to the Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 79

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 79—Relative to the death of Herbert C. Moffitt, Sr.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 13
Senate Bill No. 227
Senate Bill No. 790
Senate Bill No. 825
Senate Bill No. 975
Senate Bill No. 990
Senate Bill No. 1155

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 13—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 227—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348 2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Referred to Committee on Judiciary.

Senate Bill No. 825—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs.

Referred to Committee on Public Health.

Amendment No. 2

On page 2, line 25, of said measure, strike out "3", and insert "2".

Amendments read.

Roll Call Demanded

Messrs. Condon, George D. Collins, and Elliott demanded a roll call.

The roll was called, and the amendments offered by Mr. Condon to Senate Joint Resolution No. 8 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Doyle, Dunn, Elliott, Evans, Hagen, Hahn, Hawkins, Henderson, Klocksiem, McCollister, McFall, McMillan, Moss, Munnell, Parker, Rumford, Shaw, and Stanley—25.

NOES—Babbage, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Erwin, Fleury, Geddes, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—36.

The question being on the adoption of Senate Joint Resolution No. 8.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54

NOES—George D. Collins, Condon, Dunn, Elliott, Hagen, Hawkins, Henderson, McMillan, Rosenthal, and Rumford—10.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to treaties, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 21, 1951

Honorable Arthur W. Coats, Jr.
Assembly Chamber

TREATIES—No. 8652

DEAR MR. COATS:

Question

You have asked the following questions:

1. Could the President and the Senate of the United States through the exercise of the treaty-making power make a fundamental change in the constitutional structure of the Government of the United States; i.e. could they abolish the House of Representatives or suspend the "due process" clause of the 14th Amendment of the Federal Constitution?

2. What is the jurisdiction of the United States Supreme Court with regard to the validity of treaties? Could the Supreme Court, for instance, rule that a treaty directed at the abolition of the House of

Amendment No. 2

On page 1, line 20, of said bill, as amended, after "axle", insert ", and no portion of such semi-trailer or its body or load forward of the turning axis shall project to a greater distance than a 60-inch radius from the center of said turning axis".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 21, 1951, strike out "six thousand dollars ($6,000)", and insert "three thousand dollars ($3,000)".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2573—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 4, 1951, strike out line 3, and insert

"216. Water rights, insofar as they are devoted to agricultural purposes on privately owned land shall".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3175—An act to amend Sections 3215, 3227, and 3605 of the Public Resources Code, relating to oil or gas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 6, of the printed bill, after "log", strike out "electrical log if any be made,".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3440—An act adding Sections 35002.5, 35003, 35158 and 35326 to and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 24, of the printed bill, after "held", insert "prior to June 1, 1951".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2737—An act to add Part 5.5 to Division 5 of the Labor Code relating to safety standards for longshore, stevedore and waterfront warehouse operations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Part 5 5 to Division 5 of", and insert "Section 6500.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive; and strike out all of pages 2 to 10, inclusive, and insert

"SECTION 1. Section 6500.5 is added to the Labor Code to read:

6500.5. The Legislature hereby finds and declares that special hazards exist with respect to longshore and stevedore operations, which are peculiar to such operations and cannot be adequately dealt with by general orders applicable in other industries and occupations. The Division shall declare and prescribe safety orders applicable to longshore and stevedore operations only, adequate to safeguard the health, welfare and safety of employees engaged in such operations or occupations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "218", and insert "217".

Amendment No. 2

On page 1 of said bill, strike out line 22, and insert

"216 On the effective date of this article there shall be transferred from the Revenue Deficiency Reserve Fund to the Highway Protective Right of Way Revolving Fund the sum of fifty million dollars ($50,000,000)."

Amendment No. 3

On page 1 of said bill, strike out lines 23 and 24; and on page 2, strike out lines 1 to 22, inclusive.

Amendment No. 4

On page 2, line 23, of said bill, strike out "218", and insert "217".

Amendment No. 5

On page 2, line 42, of said bill, strike out "General Fund', and insert "Revenue Deficiency Reserve Fund".

Amendment No. 6

On page 2, line 44, of said bill, strike out "General Fund', and insert "Revenue Deficiency Reserve Fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 122—An act to add Section 635.5 to the Vehicle Code, relating to lighting equipment on school busses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Busses.", insert "Notwithstanding the provisions of Sections 640 and 650 6,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "side blinker lamps", and insert "amber side blinker lamps of a type approved by the department".

Amendment No. 3

On page 1, lines 6 and 7, of said bill, strike out "the bus is crossing said highway", and insert "is to be crossed by the bus".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2214—An act to amend Section 458 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 458 and 471, and to repeal Sections 481 and 483, of the Streets and Highways Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"458. Route 158 is from Route 4 near San Fernando to".

Amendment No. 3

On page 1, line 7, of said bill, immediately before the period, insert "; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill, the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 7, insert

"SEC. 2. Section 471 of said code is amended to read:

471. Route 171 is from Route 60 near Huntington Beach to Route [2 near Whittier] *62 at or near Buena Park.*

SEC. 3. Sections 481 and 483 of said code are repealed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3006—An act to amend Section 6 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," approved June 3, 1921 (Chapter 757, Statutes of 1921), relating to the impounding and disposition of dogs running at large.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert "Such dogs, on request of a duly incorporated society for the prevention of cruelty to animals which is properly equipped to shelter, feed, and care for such impounded dogs, may be placed in the custody of such society until a bona fide home is found for them or if no home is available be humanely destroyed."

Amendment No. 2

On page 1, line 16, of said bill, after "killed", insert "or surrendered to any humane society or other organization for the prevention of cruelty to animals".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5, line 37, of the printed bill, as amended in the Assembly on May 18, 1951, after "and", insert "rent to a soil conservation district or".

Amendment No. 2

On page 5, line 50, of said bill, after the period, insert "Of the moneys available to the commission to carry out the provisions of this section, the commission shall limit the equipment which may be purchased under this section by any one district to approximately $50,000, but in no case shall the amount exceed $60,000 for any one district. In the event any district already possesses more equipment than the limits herein provided, the commission shall reduce the equipment purchased by the district to conform to the limits herein provided, by January 1, 1954 The commission with the approval of the Department of Finance may adopt such rules and regulations as it deems necessary to carry out these provisions Any cash balances left from the sale of any equipment after the revolving fund herein established has been repaid in full shall belong to the district and may be used for the purposes of the district

Nothing in this section shall prohibit the commission from purchasing or holding equipment in its possession which it deems vital to the needs of the soil conservation districts and renting such equipment at rental rates approved by the Department of Finance to any soil conservation district "

Amendment No. 3

On page 6, lines 2 and 3, of said bill, strike out "or group of soil conservation districts,"

Amendment No. 4

On page 6, line 5, of said bill, strike out "The commission may sell"; and strike out all of lines 6 to 8, inclusive.

Amendment No. 5

On page 14 of said bill, between lines 5 and 6, insert

"9162 The directors shall receive no compensation for their services as such, but each shall be allowed reasonable and necessary expenses incurred in attendance at meetings of the directors or when otherwise engaged in the work of the district at the direction of the board of directors The directors shall fix the amount allowed for such necessary expenses, but no director shall be appointed to any position for which he would receive compensation as a salaried officer or employee of the district

9163. No director or other officer of the district shall be interested directly or indirectly in the sale of equipment, materials, or services to the district."

Amendment No. 6

On page 16 of said bill, strike out lines 44 to 49, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1507—An act to add Chapter 9.1 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of water well drillers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Chapter 9 1 to Division 3 of the Business and Professions", and insert "amend the heading of Chapter 7, Division 4 of, amend and renumber Sections 7076, 7077, and 7078 of, and add Sections 7100, 7101, 7102, and 7103 to, the Water".

Amendment No. 2

In line 2 of the title of said bill, strike out "and licensing".

Amendment No. 3

In line 3 of the title of said bill, strike out "drillers", and insert "construction".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 25, inclusive; and strike out pages 2 to 8, inclusive, and insert

"SECTION 1 The Legislature finds and declares that improper practices in the construction and abandonment of water wells threatens to destroy the utility of valuable ground waters and underground reservoirs in some areas of the State by permitting

saline and other polluted waters to enter fresh water strata The Legislature further finds and declares that it is necessary to the public health and welfare that all underground reservoirs of the State be protected from such destruction, and it is therefore essential that all wells in the State be recorded and that a means be provided for establishing minimum well construction standards for critical areas"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3205—An act to add Section 4850.1 to the Public Resources Code, relating to cutting for lumber Sequoia gigantea.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Section 4850.1 to the Public Resources Code, relating to cutting for lumber Sequoia Gigantea.", and insert "relating to conservation, particularly of the species Sequoia gigantea."

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 4850.1 is added to the Public Re-", and strike out lines 2 to 7, inclusive, and insert

"It is hereby declared to be the policy of the State of California to preserve as far as possible the species Sequoia gigantea in the interest of conservation, both of soil and of the species itself, and for the benefit of present and future generations.

Upon the finding of the State Park Commission or State Forester, or both, that any Sequoia gigantea grove is suitably situated and is of a size and character which justifies its preservation by and for the public, it shall be the policy of the State to acquire any such grove for preservation and conservation purposes.

In furtherance of such policy, the contribution of a portion of the cost of acquisition from private sources or sources other than the State Treasury shall not be required."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 892—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities, counties and school districts from sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "cities, counties and".

Amendment No. 2

On page 1, line 5, of said bill, strike out "to cities, counties and school districts", and insert "by one school district to another school district if each such district is governed by the same board".

Amendment No. 3

On page 1, line 8, of said bill, strike out "city, county or".

Amendment No. 4

On page 1, line 9, of said bill, after "district", insert "purchased from another school district, if each such district has the same governing board,"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2864—An act making an appropriation for a state office building in the City and County of San Francisco.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, after the period, insert "When title to any land is acquired by the State pursuant to this act, the Director of Finance shall deliver a copy of the instrument of conveyance thereof to the State Lands Commission."

Amendment No. 2

In line 1 of the title of the printed bill, strike out "making an appropriation for", and insert "authorizing the Director of Finance to acquire".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. The Director of Finance is hereby authorized to acquire upon such terms and conditions as he may deem to be for the best interests of the State real property upon which has been constructed an office building at 540 Van Ness Avenue, located at the northeast corner of Van Ness Avenue and Redwood Street, City".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 798—An act to amend Section 53 of the Unemployment Insurance Act, relating to benefit payments.

Bill read second time.

Amendments Ruled Not in Order

Speaker Sam L Collins ruled that proposed amendments, about to be placed across the desk, are not germane to the bill, and ordered Assembly Bill No. 798 re-referred to the Committee on Industrial Relations.

Assembly Bill No. 3189—An act to amend Section 4343 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4343 of", and insert "add Sections 5046.3 and 18744 to".

Amendment No. 2

In line 2 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Section 5046.3 is added to the Education Code to read:

5046 3 Apportionments from the Public School Building Loan Fund may be made to a school district otherwise eligible therefor for, in addition to the purposes mentioned in Section 5046, the purchase by the district from another school district of sites and buildings situated in the applicant district and which (1) comply with all the requirements of this code, and (2) are approved by the Department of Education.

For the purposes of this section:

(a) The terms "constructed" and "construction" as used in Sections 5047 and 5052 include "purchased" and "purchase."

(b) The term "new construction" as used in Section 5049 includes buildings purchased under the authority of this section.

(c) Section 5047.5 shall not apply.

The purchase price paid by the district for such sites and buildings shall not exceed that approved by the board.

SEC. 2. Section 18744 is added to said code to read:

18744. When during the period the boundaries of a union high school district and junior college district were coterminous and the districts governed by governing boards of identical personnel and each expended funds for capital outlays with respect to a building or buildings or other improvements on a site belonging to the other district, each district became and remained the sole owner of a right, title, and interest in said building, buildings, or other improvements of the same proportion of the whole as the amount expended by such district for capital outlays with respect to such building, buildings, or other improvements was of the total amount so expended by both districts and each district is the owner of all buildings and other improvements title to which was transferred to the district by the Federal Government or which were constructed or made with funds or labor or funds and labor provided by the Federal Government but which are located on a site belonging to the other district. If the boundaries of the two districts have ceased or hereafter cease to be coterminous, either of the districts may sell to the other district, and such other district may purchase, all its right, title, and interest in and to any building, buildings, and improvements on such terms and conditions as the governing boards of the two districts may agree upon and without complying with any other provision of law.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The situation with respect to the ownership of property, and eligibility to state school building aid, of districts which have heretofore had, but do not now have, coterminous boundaries and governing boards of identical personnel, and each of which expended funds for capital outlay purposes on property of the other, is extremely uncertain. In order to remove all doubt at the earliest possible time with respect to the ownership of property by each of the districts and to make state school building aid available in circumstances where the purchase of property by one of the districts from the other is a necessary element in providing for the adequate housing of pupils of the district or districts eligible for such aid, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1, of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 1107—An act to add Sections 100.6, 822.5, and 1670 of, and add Section 1626 to, the Streets and Highways Code, relating to highways and trails on or crossing county or state boundary lines.

Bill read second time, and ordered to third reading.

Senate Bill No. 1065—An act to amend Section 28113 of the Government Code and Section 413 of the Education Code, relating to compensation for public service in counties of the thirteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1212—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read second time, and ordered to third reading.

Senate Bill No. 913—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 19, 1951, strike out "28121", and insert "28127".

Amendment No. 2

In line 2 of the title of said bill, strike out "twenty-first", and insert "twenty-seventh".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28127 of the Government Code is amended to read:

28127. In a county of the twenty-seventh class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

(a) The auditor, [five thousand four hundred dollars ($5,400)] *six thousand dollars ($6,000)* a year.

(b) The district attorney eight thousand *eight hundred* dollars [($8,000)] *($8,800)* a year, which is in full for all services performed by him as district attorney. He shall devote his entire time during office hours to the duties of his office, and shall not engage in private law practice during his term of office.

(c) Each supervisor, [one thousand eight hundred dollars ($1,800)] *three thousand dollars ($3,000)* a year, which is in full for all services performed by him as supervisor [and road commissioner]. Each supervisor shall be allowed seventy-five dollars ($75) a month as an allowance for mileage traveled within the county in attending the meetings of the board of supervisors and in performing other duties as supervisor [and road commissioner], which shall be paid on the first day of each month irrespective of the number of miles traveled within the county. If it is necessary for a supervisor to travel outside the county on official matters pertaining to his duties as supervisor [and as road commissioner], he shall receive actual and necessary expenses and mileage, and shall file a demand in the same manner as other county officers, and submit signed receipts and vouchers for any expenses in excess of two dollars ($2). Each supervisor may use an automobile provided and maintained by the county in connection with the performance of official duties within and without the county. If an automobile is furnished at county expense, it is in lieu of mileage, except if the automobile is not available at all times, through accident or otherwise, mileage at the rate of seven cents ($0.07) a mile shall be allowed during the period of non-availability. If a supervisor is not furnished an automobile at county expense and it is necessary for him to travel outside the county on official business and transportation is not furnished by common carrier, mileage at the rate of seven cents ($0.07) a mile for all mileage actually traveled outside the county shall be paid.

(d) Trial jurors in criminal cases shall receive three dollars ($3) as compensation for each day's attendance for trial in the superior courts, and ten cents ($0.10) for each mile actually and necessarily traveled from their residences in attending the superior court, one way only.

Grand jurors shall receive three dollars ($3) as compensation for each day's attendance at sessions of the grand jury, and ten cents ($0.10) for each mile actually and necessarily traveled from their residences in attending the sessions of the grand jury, one way only, to be allowed but once during each meeting day the grand jurors are required to attend sessions thereof.

All jurors required to attend trials in justices' courts *or justice courts established pursuant to the Municipal and Justice Court Act of 1949* shall receive one dollar and fifty cents ($1.50) as compensation for each day's attendance, and ten cents ($0.10) for each mile actually and necessarily traveled in attending such trials, one way only, to be allowed but once during each meeting day the trial jurors are required to attend trial.

As additional compensation *and salary* to the officers mentioned in this section, the county shall pay one-third of the insurance premium for group life, accident, and health insurance, if such officers are covered by group insurance.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 27, inclusive; and on page 2, strike out lines 1 to 39, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9410,".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 10, inclusive, and insert "son over 18 years of age. The service of the subpoena shall be made by showing the original and delivering a copy to the witness personally, giving or offering to him at the time, if demanded by him, the fees to which he is entitled for traveling to and from the place designated, and one day's attendance there. Each house of the Legislature shall, by rule or resolution, prescribe the amount of such fee. The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance."

Amendment No. 3

On page 2 of said bill, strike out lines 47 to 51, inclusive; and on page 3, strike out lines 1 to 15, inclusive.

Amendment No. 4

On page 3, line 16, of said bill, strike out "7", and insert "6".

Amendment No. 5

On page 3, line 37, of said bill, strike out "8", and insert "7".

Amendment No. 6

On page 3, line 44, of said bill, strike out "material", and insert "reasonably relevant".

Amendment No. 7

On page 3, line 45, of said bill, strike out "material", and insert "reasonably relevant".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on March 28, 1951, strike out line 8, and insert

"29015 In order to provide a supply of hypnotic drugs, as may be needed in any licensed or county hospital which does not employ a pharmacist, the hospital may purchase such drugs on hypnotic drugs purchase order forms in the name of the hospital. The supply is to be made available to a registered nurse, for administration, on the order or direction of a physician, to patients registered in the hospital, or to emergency cases under treatment in the hospital."

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

Senate Bill No. 820—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotics.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Senate on May 9, 1951, after "Section", insert "s"; and after "11166.12", insert ", 11714, and 11715.6".

Amendment No. 2

On page 1, line 26, of said bill, after "who", insert "unlawfully".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

REMARKS ON CONDITION OF THE FILE

Mr. Dolwig spoke on the condition of the file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 707—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 707?

Amendment No. 1

On page 1, line 20, of the printed bill, after the period, insert "This section shall remain in effect until the ninety-first day after final adjournment of the 1955 Regular Session of the Legislature."

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951 strike out "1.7", and insert "1.6".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "1.7", and insert "1.6".

Amendment No. 4

On page 1, line 3, of said bill, as amended, strike out "1.7", and insert "1.6".

Amendment No. 5

On page 1, line 13, of said bill, as amended, strike out "be", and insert "he".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 707 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 707 ordered enrolled.

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1970?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on April 30, 1951, strike out the first comma and "in writing", and insert "therein".

Amendment No. 2

On page 2 of said bill, as amended, after line 22, insert

"(f) No ordinance adopted pursuant to this section shall apply to any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1970 by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—50.

NOES—None

Assembly Bill No. 1970 ordered enrolled.

Assembly Bill No. 2575—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2575?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 19, 1951, after "unit", insert ", as shown by the list of eligible voters for the last preceding general election in the district".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2575 by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2575 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2923 WAIVED

Mr Hagen waived his notice of motion to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 2923.

Assembly Bill No. 2923 ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 701?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "said", and insert "side".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 701 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Cloyed, Coats, Collier, Condon, Connolly, Dills, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Parker, Porter, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—45.

NOES—None

Assembly Bill No. 701 ordered enrolled.

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1078?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "board", and insert "State Personnel Board".

Amendment No. 2

On page 1, line 9, of said bill, after "California", and before the period, insert "and provided such credit may not exceed the amount it would have been if such employment had been in the state civil service".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1078 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Parker, Porter, Sillman, Smith, Stanley, Stewart, and Thomas—46.

NOES—None

Assembly Bill No. 1078 ordered enrolled.

ANNOUNCEMENTS

Mr. Levering announced that Assembly Bill No 3435 is set for hearing in the Committee on Industrial Relations on next Thursday evening, May 31st, at 8.30 p.m.

Speaker Sam L. Collins announced that Senator Hoffman is inviting the wives of the legislators to his Bethel Island outing, beginning with the boat ride at 11 a.m., and including the barbecue dinner on Sunday, June 3d; and that as soon as members respond to said invitation, directions will be provided by Senator Hoffman on how to reach the location of the party.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1980
Assembly Bill No. 2611

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1248, on motion of Mr. Sam L. Collins.

Assembly Bill No. 1954, on motion of Mr. Moss.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3213—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1226—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1231—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1233—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1237—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1238—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1239—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 15—An act to amend Sections 441, 445, and 451 of the Education Code, relating to compensation for public service.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 593—An act to amend Section 28134 of the Government Code, relating to compensation for public services in counties of the thirty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, and Stewart—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 3422—An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1230—An act to amend Sections 9563 and 9566 of the Business and Professions Code, relating to minimum prices in the dry cleaning industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2801 BE RE-REFERRED TO COMMITTEE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No 2801 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1228—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED FOR COMMITTEE MEETING

At 10.50 a.m., Mr. Brown asked for, and was granted, unanimous consent that note be made in the Journal that he has been attending a meeting of the Senate Judiciary Committee, for which reason he has been temporarily absent from the Assembly Chamber; and that his name be placed upon the morning roll call.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 233
Assembly Bill No. 1501
Assembly Bill No. 2905
Assembly Bill No. 3321
Assembly Bill No. 3431

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1937

Mr. Beck asked for, and was granted, unanimous consent to take up Assembly Bill No. 1937, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1937

Assembly Bill No. 1937—An act to amend Section 5032 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 272

Mr. Babbage asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 272, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 272?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "In all counties except counties having a population in excess of 2,000,000 the", and insert "The".

Amendment No. 2

On page 1, lines 8, 9, 10, 11, and 12, of said bill, as amended, after "the probation officer", strike out ". In all counties having a population in excess of 2,000,000 the superintendent, matron, and other employees of the juvenile hall shall be appointed by the board of supervisors upon the nomination of the probation committee and the approval of the judge of the juvenile court.", and insert "; provided, however, that in counties where the probation committee is responsible for the management and control of the internal affairs of the juvenile hall, the superintendent or matron and all other employees of the juvenile hall shall be appointed by the probation committee with the approval of the judge of the juvenile court."

Amendment No. 3

On page 1, lines 14 and 15, of said bill, as amended, strike out "In all counties except counties having a population in excess of 2,000,000 the", and insert "The".

Amendment No. 4

On page 1, line 20, of said bill, as amended, after "tion", strike out ". In all counties having a population in excess of 2,000,000", and insert "; provided, however, that, in counties where the probation committee is responsible for the management and control of the internal affairs of the juvenile hall".

Amendment No. 5

On page 2, lines 2 and 3, of said bill, as amended, strike out "In all counties except counties having a population in excess of 2,000,000 the", and insert "The".

Amendment No. 6

On page 2, line 5, of said bill, as amended, after "supervisors", strike out ". In all counties having a population in excess of 2,000,000", and insert "; provided, however, that in counties where the probation committee is responsible for the management and control of the juvenile hall".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 272 by the following vote:

AYES—Brown, Clarke, Condon, Dills, Erwin, Geddes, and Lyon—7

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—52

Appointment of Committee on Conference Concerning Assembly Bill No. 272

The Speaker announced the appointment of Messrs. Babbage, Stanley, and Lipscomb as a Committee on Conference concerning Assembly Bill No. 272.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1317

Mr. Crowley asked for, and was granted, unanimous consent to take up consideration of the Governor's veto to Assembly Bill No. 1317, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1317 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly,

Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Sullivan, Stanley, Stewart, and Mr. Speaker—66.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 765, on motion of Mr. Crowley.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 313

Mr. Lanterman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 313, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 313—An act to amend Sections 1, 3, and 14½ of the County Waterworks District Act, and to add Sections 6.1 and 2.1 thereto, relating to county waterworks districts.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 313?

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on April 20, 1951, after "petition", insert "and as to whether the addition to the district of the lands as described in the petition, or as the boundaries thereof shall have been modified, will be for the best interests of the district".

Amendment No. 2

On page 3, line 46, of the printed bill, as amended, after "clusive", insert "If the board shall find that the addition to the district of the lands as described in the petition, or as the boundaries thereof shall have been modified, will not be for the best interests of the district, it shall reject the petition."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 313 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Sullivan, Stanley, Stewart, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 313 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 982

Mr. Lanterman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 982, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 982—An act to add Sections 34303.5 and 35002 to, and to amend Sections 35101 and 35301 of the Government Code, relating to cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 982?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 20, 1951, between lines 14 and 15, insert

"If the boundary commission does not report upon the petition within 20 days after it is submitted to it, the petition shall be deemed correct."

Amendment No. 2

On page 2 of said bill, as amended, between lines 5 and 6, insert

"If the boundary commission does not report upon the petition or proceeding within 20 days after it is submitted to it, the petition or proceeding shall be deemed correct."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 982 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Silliman, Stanley, Stewart, Waters, and Mr Speaker—61.

NOES—None.

Assembly Bill No. 982 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1054

Mr. Silliman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1054, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1054—An act to add Chapter 15 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1054?

Amendment No. 1

On page 5, line 12, of the printed bill, as amended in the Assembly on April 24, 1951, before "If", insert "No general obligation bonds shall be issued by the district unless the issuance thereof is approved by the electors of the district at a special election as provided in this article."

Amendment No. 2

On page 7, line 12, of said bill, as amended, strike out "real".

Amendment No. 3

On page 7, line 13, of said bill, as amended, strike out "real".

Amendment No. 4

On page 4 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 28 to 41, inclusive, and insert

"4183. For the purposes of the district the board of supervisors shall levy a tax of not to exceed fifteen cents ($0.15) on each one hundred dollars ($100) of taxable property of the district in the county."

Amendment No. 5

On page 8, line 43, of said bill, as amended, after "district" and before the period, insert a comma and the following: "and the board shall provide for public hearings for property owners petitioning said board for such hearing and upon proper presentation

being made by property owners that property of their ownership is not benefited by the district the board thereupon shall exclude such property from the district.

No city or portion thereof shall be annexed to the districts unless and until the governing body of the city has consented thereto, such consent being adopted by a favorable vote of two-thirds or more of the governing body".

Amendment No. 6

On page 1 of said bill, as amended, strike out lines 13 to 15, inclusive, and insert "4171. Any contiguous portion or portions of a county whether the".

Amendment No. 7

On page 8 of said bill, as amended, strike out lines 10 to 13, inclusive, and insert "4187. The boundaries of any district may be altered, and outlying contiguous territory, whether incorporated or unincorporated, may be annexed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1054 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1054 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2280

Mr. Davis asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2280, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2280—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2280?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28140", and insert "28141".

Amendment No. 2

In line 3 of the title of said bill, strike out "fortieth", and insert "forty-first".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28140", and insert "28141".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive; and on page 2, strike out lines 1 to 18, inclusive, and insert

"28141. In a county of the forty-first class the following shall receive as compensation for services required of them by law or by virtue of their offices the following sums:

(a) The auditor, eight hundred dollars ($800) a year.

(b) The district attorney, [three thousand three hundred dollars ($3,300)] *four thousand eight hundred dollars ($4,800)* a year.

(c) Each supervisor, [one thousand five hundred dollars ($1,500)] *two thousand four hundred dollars ($2,400)* a year and mileage from his residence to the county seat at each sitting of the board, at twenty-five cents ($0.25) a mile. Each supervisor is, in addition, allowed three hundred dollars ($300) a year to cover mileage expense at twenty-five cents ($0.25) *a mile in viewing the roads.* These salaries *and mileage* are in full for all services

(d) Grand jurors and trial jurors shall receive the following fees and mileage:

(1) Grand jurors and jurors in the superior court shall be paid [three dollars ($3)] *six dollars ($6)* a day for each day's attendance, and twenty-five cents ($0.25) for each mile actually traveled in going only, while acting as jurors. The judge of the court shall certify to the auditor the number of days' attendance of each juror and his mileage. The auditor shall draw his warrant on the treasurer in favor of each juror and the treasurer shall pay the warrant.

(2) Trial jurors in [criminal cases only in] any justice's court shall receive [two dollars fifty cents ($2.50)] *four dollars ($4)* for each day's attendance, *and twenty-five cents ($0.25) for each mile actually traveled in going to, but not from, the place of attendance.* The justice of the peace shall certify to the auditor the number of days' attendance of each juror, and the auditor shall draw his warrant therefor, and the treasurer shall pay the warrant

(e) Witnesses legally required to appear before the grand jury or the superior court shall receive four dollars ($4) for each day's attendance, and ten cents ($0.10) per mile for each mile actually traveled in going to, but not from, the place of appearance

(f) Witnesses legally required to appear in any justice court or before a coroner's jury shall receive three dollars ($3) for each day's attendance, and ten cents ($0.10) per mile for each mile actually traveled in going to, but not from, the place of appearance

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2280 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—64.

NOES—None

Assembly Bill No. 2280 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1730

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1730, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1730

Assembly Bill No. 1730—An act to amend Sections 1, 3, 4, and 6 of the Flood Control Fund Act of 1946, relating to state assistance on flood control projects.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1731

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1731, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1731

Assembly Bill No. 1731—An act to amend the State Water Resources Act of 1945 (Chapter 1514, Stats. 1945), as amended, by amending Sections 18 and 20 thereof, relating to state assistance on flood control projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1731

Mr. Shaw gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1731 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1582

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1582, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1582

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—70.

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 161

Relative to the creation of the Assembly Interim Committee on Military Affairs

Resolved by the Assembly of the State of California, As follows

1 The Assembly Interim Committee on Military Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Military Affairs, and any and all other matters relating to or affecting military and veterans affairs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of such Members of the Assembly Standing Committee on Military Affairs as the Speaker shall appoint. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2936

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No 2936, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2936

Assembly Bill No. 2936—An act to add Section 7.7 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read third time.

Hon. Randal F. Dickey Presiding

At 11.25 a.m., Hon. Randal F Dickey, Member of the Assembly from the Fourteenth District, presiding.

Speaker Pro Tempore Presiding

At 11.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 11.35 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The question being on the passage of Assembly Bill No. 2936.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Erwin, Grant, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering,

Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—50.

NOES—Berry, Burkhalter, George D. Collins, Condon, Dickey, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Henderson, Hollibaugh, Lincoln, Luckel, Maloney, McMillan, Moss, Niehouse, and Rosenthal—22.

Notice of Motion to Reconsider Assembly Bill No. 2936

Mr. Henderson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2936 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 894

Mr. Dickey asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted, on second reading, amendments offered by the Committee on Judiciary to Assembly Bill No. 894.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 894

Assembly Bill No. 894—An act to amend Section 737a of the Political Code and Section 79.1 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 737a", and insert "Sections 737a and 737*ll*".

Amendment No. 2

In line 2 of the title of said bill, strike out "tion 79.1", and insert "tions 79.1 and 79.38".

Amendment No. 3

On page 1 of said bill, strike out line 5, and insert "sixteen thousand seven hundred fifty dollars ($16,750)."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 5 and 6, insert

"SEC. 2. Section 737*ll* of the Political Code is amended to read:

737*ll* The annual salary of each of the Judges of the Superior Court in and for the City and County of San Francisco is [fifteen thousand dollars ($15,000)] *sixteen thousand, seven hundred fifty dollars ($16,750)*."

Amendment No. 5

On page 1, line 6, of said bill, strike out "2", and insert "3".

Amendment No. 6

On page 1 of said bill, strike out line 10, and insert "sixteen thousand seven hundred fifty dollars ($16,750)."

Amendment No. 7

On page 1 of said bill, between lines 10 and 11, insert

"SEC. 4. Section 79.38 of the Code of Civil Procedure is amended to read:

79.38. The annual salary of each of the judges of the Superior Court in and for the City and County of San Francisco is [fifteen thousand dollars ($15,000)] *sixteen thousand seven hundred fifty dollars ($16,750)*."

Amendment No. 8

On page 1, line 11, of said bill, strike out "SEC. 3. Section 2", and insert "SEC. 5. Sections 3 and 4".

Amendment No. 9

On page 1, line 12, of said bill, strike out "Section 737a", and insert "Sections 737a and 737*ll*".

Amendment No. 10

On page 1, line 12, of said bill, strike out "is", and insert "are".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 2,500 COPIES BE PRINTED

Mr. Stewart asked for unanimous consent that the Report on Overlapping in Building Regulations by the Assembly Interim Committee on Governmental Efficiency and Economy, as printed in the Assembly Journal for May 23d, at pages 4634 to 4642, inclusive, be printed as a separate document, and that 2,500 copies be ordered printed.

Request ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION FROM LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Shaw asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to Assembly Bill No. 2366, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 21, 1951

Honorable Stanford C. Shaw
Assembly Chamber

ASSEMBLY BILL 2366—No. 8328

DEAR MR. SHAW:

Question

You have asked for our opinion as to the constitutionality of Assembly Bill No. 2366, as amended in Assembly May 18, 1951.

Opinion

While any opinion in the field covered by this bill is, to a certain extent, speculative, we are inclined to believe that the bill, if enacted, would be upheld.

Analysis

The bill contains certain legislative findings and declarations which in effect set out that recent history shows there is a world-wide movement to establish a totalitarian dictatorship which has resulted in the overthrow of legally constituted governments aided by the treachery of totalitarian organizations within the country involved. The bill declares that such totalitarian organizations exist in this State and through treachery and specified activities, including infiltration into key positions in government and defense industries, will interfere with the military and civil defense of the Nation and of this State.

In order to meet this evil the bill would create a commission charged with the duty of ascertaining whether any member of a totalitarian organization, as defined in the act, "knowingly acts to bring about the establishment of a totalitarian government as defined in the act." The commission is charged with the duty of requiring "registration by such persons at such time and place and on such forms as the commission may determine."

The bill provides for notice to the person affected by the commission's initial determination that he should register, and affords him a hearing before the commission and a judicial review of the commission's final determination that as a person you should be required to register. It is not until the person affected has failed to seek judicial review, or until such determination of the commission is affirmed by the court, that any penalty attaches for failure to register.

It would appear that any attack upon the bill would be grounded upon the following arguments:

1. That the bill constitutes an attempt for state regulation in the field of foreign affairs, which is exclusively reserved to the Federal Government (*United States* vs. *Pink*, (1942) 315 U. S. 203).

2. That the bill constitutes state legislation in a field completely occupied by federal legislation, and therefore violates Section 2 of Article VI of the United States Constitution.

3. That, as a criminal statute, the bill is too uncertain to meet the requirements of the due process clause of the Fourteenth Amendment to the Federal Constitution.

4. That the bill violates the equal protection clause of the Fourteenth Amendment to the United States Constitution.

5. That the bill infringes on the right of free speech or assembly guaranteed by the First Amendment and made applicable to the states by the Fourteenth Amendment of the United States Constitution.

We do not believe that the first ground of attack set forth above is valid The obvious purpose of the bill is to prevent sabotage and similar acts within the State of California and the bill would appear to have no impact upon foreign or international affairs. Unlike the statute declared void upon this ground in *Hines* vs. *Davidowitz* (1941) 312 U S. 52, the bill does not single out aliens for registration but applies with equal force to all persons within the State In the *Davidowitz* case (supra) the court pointed out for example that: "Experience has shown that international controversies of the gravest moment, sometimes even leading to war, may

arise from real or imagined wrongs to anothers subjects inflicted, or permitted, by a government." A state requirement that aliens be registered and carry registration cards might cause such trouble and affect foreign affairs, but it is difficult to see how a state statute requiring registration of subversive organizations can be open to the same comment.

With respect to the second ground set forth above, there is no question but that the bill operates in the same field as that covered by the Federal Subversive Activities Control Act of 1950. That act provides for the registration of Communist-action and Communist-front organizations and it further provides for the registration of certain members of such organizations.

Both the federal statute cited and the bill in question would result in the registration of certain individuals, but we can see no basis for a conclusion that registration by the State would interfere with the operation of the federal statute. There is nothing in the text of the federal statute which would clearly indicate an intent on the part of Congress to exclude the states from regulating in the same field. In the absence of such an intent nonconflicting regulations adopted by the states under their police powers are not invalid. (*Allen-Bradley Local* vs. *Wisconsin Employment Relations Board*, 315 U.S. 740)

With respect to the third ground of attack set forth above, it should be noted that the only crime defined is for a person to refuse to register after he has been found by the commission to be a member of a totalitarian organization who has knowingly acted to bring about the establishment of a totalitarian dictatorship. In other words, the crime constitutes failure to register after notification that the person affected should register. We do not believe therefore that the statute could be invalidated on this ground.

As to the fourth ground mentioned above, it is well established that the equal protection clause of the Fourteenth Amendment does not prevent the states from enacting class legislation provided there is a reasonable basis for the classification. (*Thompson* vs. *Kentucky*, 209 U. S. 340) It is true that the bill singles out only those persons who are members of totalitarian organizations *and* who have knowingly acted to bring about the establishment of a totalitarian dictatorship for registration, thereby leaving unaffected other persons who seek to bring about a totalitarian dictatorship but do not belong to such organizations. However, the legislative findings set forth in Section 1 of the bill provide a reasonable basis for this classification by showing that the danger is presented primarily by the activities of members of totalitarian organizations.

As to the fifth ground of attack mentioned above, it should be noted that the effect of the bill upon the right to free speech or assembly is remote and indirect. Assuming that a person has registered pursuant to the act, nothing in the act would prevent him from making any utterance in favor of the establishment of a totalitarian government or on any other subject, nor would anything in the act prevent him from remaining a member of any totalitarian organization.

We believe that the effect of the registration requirement of the bill upon rights protected by the first amendment to the United States Constitution is as indirect and remote as was the effect of the Communist oath requirement of the Taft-Hartley Act upon those rights. We further believe the registration requirement of the bill is as reasonable a means

to meet an evil subject to regulation under the State's police power as that oath requirement was to meet an evil which Congress could regulate through its power over interstate commerce. The Communist oath provision referred to was upheld in *American Communications Ass'n.* vs. *Douds*, 339 U. S. 382, and in our opinion, under the reasoning of that case, the bill in question would be upheld as against the contention that it unconstitutionally infringed rights protected by the First Amendment.

We are aware that a county ordinance requiring registration of substantially the same persons who would be affected by Assembly Bill No. 2366 was recently declared invalid. (See *People* vs. *McCormick,* 102 A. C. A. (Supp.) 854.) However, the basis of the decision in that case was that the registration requirement would violate the constitutional provision against self-incrimination. We do not believe that objection is applicable to the bill under consideration.

No person is required to register until the commission has investigated and secured facts sufficient to convince itself and a reviewing court that: (1) A specified organization is a totalitarian organization, as defined; (2) The person affected is a member of that organization; and (3) The person affected "knowingly acts to bring about the establishment of a totalitarian dictatorship."

It should be noted that neither the definition of "totalitarian dictatorship" nor the definition of "totalitarian organization" mentions the use of force, violence or unlawful means. A totalitarian dictatorship could be lawfully accomplished by a revision of the Constitution through lawful processes, and an organization which exists for the purpose of establishing and maintaining such a government by such constitutional means would fall within the definition of "totalitarian organization."

Similarly a member of such organization who secured signatures on a petition asking Congress to call a convention for the purpose of amending the Constitution to provide for a totalitarian dictatorship would be acting knowingly to bring about such a dictatorship.

Neither the organization nor the member would, of course, be guilty of any criminal conduct in the examples just given for such conduct is not proscribed, nor could it be proscribed, by the California Criminal Syndicalism Act or by any federal statute.

It is clear, therefore, that unlike the situation presented by the county ordinance in the *McCormick* case (above), the fact of registration under the bill would not be evidence of the violation of any criminal statute. In view of this, and the fact that the bill specifically provides that the fact of registration shall not be received in evidence in any criminal prosecution, we do not believe the registration requirement violates the constitutional provision against self-incrimination.

Based upon the above, we believe that the bill, if enacted, would be valid.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By A. C. MORRISON, Deputy

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE

Mr. Elliott gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2251 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Fleury and Moss as a Select Committee to escort to the rostrum Miss Pat Lehman, "Miss Sacramento," and Miss Bea Jay Johnson, "Miss Hawaii."

RECESS

At 11.52 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.55 a.m. to welcome Miss Bea Jay Johnson, "Miss Hawaii," and Miss Pat Lehman, "Miss Sacramento," and to hear remarks from them.

REASSEMBLED

At 11.55 a.m., the Assembly reconvened.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Kilpatrick and Burke:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to add Section 5501 5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately

Respectfully submitted.

VERNON KILPATRICK
MONTIVEL A. BURKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it:

By Messrs Kilpatrick and Burke:

An act to add Section 5501 5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3443: By Messrs. Kilpatrick and Burke—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

Referred to the Committee on Judiciary.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting, and Caucus today, upon recess, at the Hotel Sacramento.

Mr. McCollister announced that no meeting of the Committee on Military Affairs will be held today.

RECESS

At 11.57 a m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Asembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Hon. Richard Nixon, United States Senator from California, Washington, D. C., acknowledging receipt of a copy of Assembly Joint Resolution No. 30, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2623—An act to add Section 39 7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission;

Assembly Bill No. 3280—An act to amend Section 681 of the Vehicle Code, relating to the use of sirens and red lights by privately owned armored cars;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1891—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402 1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating to sites for public schools declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2085—An act to amend Section 6028 1 of, and to add Section 6028.11 to, the Penal Code, relating to Special Crime Study Commissions;

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to oleomargarine;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor;

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees;

Assembly Bill No. 1727—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 100—An act to add Sections 104.1, 104.2, and 104.3 to, to amend Sections 2182, 3088 5, and 3474 5, and to repeal Sections 1551, 2182.1, 3086, 3086.1, and 3473.1 of, the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid,

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district;

Assembly Bill No. 1155—An act to amend Sections 36, 37, and 54 of, and to add Sections 27a, 28.1, 39.1, and 39 2 to, the State Water Resources Act of 1945, relating to flood control and water conservation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. Dolwig:

House Resolution No. 162

Relative to the creation of the Assembly Fact-Finding Committee on Regional Problems of the San Francisco Bay Area

WHEREAS, Critical regional problems of common concern to the several counties bordering the San Francisco Bay, and to the cities and districts in those counties, remain unsolved because of lack of means for coordinated planning and final initiation of projects; and

WHEREAS, These problems involve: (a) *water conservation*, including plans for supplemental water supplies, reclamation and recovery of drainage and flood waters, and prevention of intrusion of sea water into underground waterbasins; (b) *vehicular traffic planning*, including the pressing need for additional bay crossings and freeway planning; (c) *transportation planning*, including future railroad crossings of the bay, provision of rapid transit facilities for the region, coordination of port and harbor operation and related navigation problems, parking and terminal facilities, and planning for future air traffic facilities; (d) *reclamation of tidelands*, including plans and projects for recreational areas, marine facilities for small craft, development of beaches, shoreline parks and parkways, and related planning for orderly development of the tidelands for urban, industrial and agricultural uses, (e) *drainage and flood control*, including provision of drainage critically needed in presently developed tideland areas, drainage and flood control in future reclaimed areas, proper disposal or reclamation of municipal and industrial liquid wastes, and related waste disposal problems affecting the water and air within the region, particularly those problems of disposal of garbage, refuse and other solid wastes in tideland areas; and

WHEREAS, These problems are inseparably inter-related and their solution requires practical coordination of numerous local, state and federal governmental agencies, and many private interests and voluntary public groups, in order to reach final decisions on regional planning; and

WHEREAS, Solutions of some of these problems are closely related to existing development and future plans in the Central Valley region particularly in the Delta area; and

WHEREAS, Projects for final solution of these problems are vital to military and civilian defense, and are necessary for orderly planning and development for ultimate urban, industrial and agricultural growth in the region; and

WHEREAS, Initial studies of the separate problems have failed to develop acceptable projects, largely because of failure to properly relate the various problems, and also to absence of legislative means to adopt final plans and implement projects; and

WHEREAS, It has been the conclusion of all of these separate studies that final solutions can come about only through some type of regional authority with sufficient power to adopt definite plans and initiate and finance projects for their completion; and

WHEREAS, The regional problems relating to railroad crossings and grade separations and to the reclamation of tidelands are so closely related to the state-wide problems relating to these subjects that the study of such problems must be undertaken on a state-wide basis; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Fact-Finding Committee on Regional Problems of the San Francisco Bay Area is hereby created and authorized and directed to ascertain, study and analyze all facts relating to

(a) The several regional problems outlined herein and their inter-relation and to study all possible legislative mechanics for establishing a regional authority with sufficient powers to develop, coordinate and adopt plans either in its own name or through existing established agencies as may be most appropriate;

(b) The scarcity of industrial sites within the boarders of the State of California and particularly in the San Francisco Bay region;

(c) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(d) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated costs of any or all such projects;

(e) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure;

(f) The regional and state-wide problems relating to railroad crossings and grade separations and to the reclamation of tidelands; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation In conducting this investigation the committee shall cooperate with all other legislative committees which have the separate problems under study

2. The committee shall consist of nine Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The committee and each subcommittee thereof is authorized to leave the State of California in the performance of its duties

7 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 69: By Mr. Dolwig—Relative to legislative research.

Referred to Committee on Rules.

MEMBER EXCUSED

At 2.02 p.m., Mr. Lowrey asked for, and was granted, unanimous consent that Mr. Davis be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1045

Mr. McGee asked for, and was granted, unanimous consent to take up Assembly Bill No. 1045, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1045

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Dolwig, Doyle, Erwin, Evans, Grant, Grunsky, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—48.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1049

Mr. McGee asked for, and was granted, unanimous consent to take up Assembly Bill No 1049, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1049

Assembly Bill No. 1049—An act to add Section 1193.1 to the Code of Civil Procedure, relating to mechanics' liens

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the acquisition, controlling, conservation, diversion, storage and disposition of storm, flood, and

other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2449

Mr. Belotti asked for, and was granted, unanimous consent to take up Assembly Bill No. 2449, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2449

Assembly Bill No. 2449—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1695

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Bill No. 1695, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1695

Assembly Bill No. 1695—An act to add Section 20344.3 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2727

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2464—An act to amend Section 672 of the Vehicle Code, relating to escort of vehicles by police and traffic officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 154

By Mr. Burkhalter:

House Resolution No. 154

Relative to the study of structural pest control

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, created at this session, is hereby authorized and directed to ascertain, study and analyze all facts relating to the Structural Pest Control Act and all matters pertaining to structural pest control contained in Assembly Bills 895 and 896 of this session, including but not limited to the relationship between the structural control operator, the real estate broker, the lending institution, and the Structural Pest Control Board, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read.

Roll Call Demanded

Messrs. Grunsky, Kirkwood, and Hinckley demanded a roll call.

The roll was called, and House Resolution No. 154 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Gaffney, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lowrey, Maloney, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, and Thomas—39

NOES—Burke, Caldecott, Clarke, Cloyed, Collier, Conrad, Geddes, Grunsky, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Luckel, Lyon, Silliman, Smith, and Waters—19.

UNFINISHED BUSINESS (RESUMED)
RECONSIDERATION OF ASSEMBLY BILL NO. 302

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 302 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Klocksiem, Lanterman, Luckel, Cloyed, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Lyon that the vote whereby Assembly Bill No. 302 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 302 reconsidered by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Chapel, Clarke, George D. Collins, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Nichouse, Porter, Stanley, Stewart, and Waters—41.

NOES—Babbage, Beck, Belotti, Caldecott, Cloyed, Coats, Collier, Connolly, Conrad, Dunn, Evans, Hagen, Hinckley, Klocksiem, Lincoln, Lowrey, Luckel, Moss, Munnell, Parker, Shaw, Silliman, Smith, and Tomlinson—24.

Assembly Bill No. 302 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1715

Mr. Levering asked for, and was granted, unanimous consent to take up Assembly Bill No. 1715, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1715

Assembly Bill No. 1715—An act to add Section 58.1 to the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Cloyed, Grant, Lanterman, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1715.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Levering moved a call of the Assembly.

Motion carried. Time, 3 25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Dills, Grant, Lincoln, Lindsay, Luckel, McMillan, Porter, Rosenthal, and Sherwin—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 3159 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2086—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Bill read third time.

Motion to Amend

Mr. Grant moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 16, 1951, after "rendered", insert "by the district".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That, pursuant to the provisions of Rule No. 45, Assembly Bill No. 424 should be re-referred to the Committee on Ways and Means, and is not properly before House, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Assembly Bill No. 424 Be Re-Referred to Committee

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 424 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 163

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$13.64
Department of Finance (typewriter service)	9.48
The Pacific Telephone and Telegraph Company (tolls)	584.40
The Pacific Telephone and Telegraph Company (service, equipment and tolls)	78.95
Western Union (telegrams)	1.20

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 163, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 21, 1951; Tuesday, May 22, 1951; Wednesday, May 23, 1951; Thursday, May 24, 1951; and Friday, May 25, 1951, were approved, as corrected by the Minute Clerk.

RESOLUTIONS

The following resolution was offered:

By Messrs. Porter, Hollibaugh, Doyle, Rosenthal, Munnell, Dills, Beck, Evans, Grant, Elliott, Hahn, Morris, Hawkins, McMillan, Burke Thomas, and Klocksiem:

House Resolution No. 164

Relative to congratulating Robert L Smith on his promotion

WHEREAS, Robert L. Smith has been with the *Los Angeles Daily News* for many years during which time he has performed in the best newspaperman's tradition; and

WHEREAS, Robert L Smith is a native of the West, born in Salt Lake City, Utah, and a resident of Southern California for a number of years, during which time he has been active in community and civic affairs; and

WHEREAS, Robert L Smith was Regional Chairman of the War Production Board during World War II, and is a member of the Board of Directors of the Los Angeles Downtown Businessmen's Association, the All-Year Club of Southern California, and the Southern California Symphony Association, and for the past eight years has been President of the Los Angeles Board of Airport Commissioners; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Robert L. Smith on his promotion to President and Associate Publisher of the *Los Angeles Daily News*; and be it further

Resolved, that the Chief Clerk of the Assembly send a copy of this resolution to Robert L Smith

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Elliott:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 6060 and 6061 of the Business and Professions Code, relating to qualifications for admittance to the practice of law.

Respectfully submitted.

EDWARD E. ELLIOTT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Elliott:

An act to amend Section 6060 and 6061 of the Business and Professions Code, relating to qualifications for admittance to the practice of law.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3444: By Mr. Elliott—An act to amend Sections 6060 and 6061 of the Business and Professions Code, relating to qualifications for admittance to the practice of law.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Meyers:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Division 8a, comprising Sections 445 to 445.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Respectfully submitted.

CHARLES W. MEYERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Meyers:

An act to add Division 8a, comprising Sections 445 to 445.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3445: By Mr. Meyers (By request of Mr. McCarthy)—An act to add Division 8a, comprising Sections 445 to 445.5,

inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Referred to Committee on Transportation and Commerce.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1715

At 3.51 p.m., on motion of Mr. Levering, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1715 passed by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McGee, Morris, Porter, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41

NOES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—35.

Notice of Motion to Reconsider Assembly Bill No. 1715

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1715 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2599

Mr. Stewart asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 2599.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Levering asked for, and was granted, unanimous consent that the Committee on Industrial Relations be permitted to use the Assembly Chamber on Thursday, May 31, 1951, at 8.30 p.m., for the purpose of considering Assembly Bill No. 3435.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast meeting, and Caucus, tomorrow morning, Tuesday, May 29th, at 7 30 a.m., at Hart's restaurant.

Mr. Dickey announced that the Assembly will be in session on Decoration Day, Wednesday, May 30th, and that committee meetings will be held, as regularly scheduled.

STATEMENT BY MR. HAGEN

Page 4744 of the Journal incorrectly reflects the vote on the motion of Mr. Dunn to refer Assembly Bill No 3435 to the Committee on Industrial Relations in that it does not reflect my "No" vote on such motion. I have verified the accuracy of this statement with the Minute Clerk. This occurred because of a printer's error, and I request text of the Journal be corrected to properly reflect my vote.

HARLAN HAGEN

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Finance and Insurance, in Room 3184.

Judiciary, in Room 2170.

Today Upon Adjournment—

Public Utilities and Corporations, in Room 432.
Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

Tomorrow, Tuesday, May 29th, At 9 a.m.—

Rules, in Room 3186.

Next Wednesday, May 30th, At 8 p.m.—

Municipal and County Government, in Room 2170.

It was announced that the following committee would hold no meeting today:

Military Affairs.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wilbur Tate of Huntington Park.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Margaret Dahm of New Jersey.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pat Lehman, "Miss Sacramento," and Miss Bea Jay Johnson, "Miss Hawaii."

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Howard Stites, Robert Oden, Floyd Jolley, Frank Lowney, and Archie Walters of Burbank.

On request of Messrs. Smith and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. G. Revelle Harrison of Glendale.

On request of Messrs. Lipscomb and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Richard L. Newton of Los Angeles.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. K. Bandy of Woodland.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. White, teacher, and the following pupils of the Falls School: Loretta Munoz, Grace Tsiyi, Sandra Siebe, Ramona Anderson, Jackie Munoz, and Jackie Tsiyi.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph Hazlett of Oceanside.

ADJOURNMENT

At 3.57 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 29, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 29, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art in Heaven, Hallowed be Thy name. Thou has taught us by the death of Thy Son, our Saviour, that without the shedding of blood, there is no remission of sins. Thou dost bring to our remembrance, the blood of saints and martyrs, heroes and warriors. We memorialize the lives that teach us the lesson of sacrifice that leads to redemption. May our Nation's destiny be so ordered that they shall not have died in vain.

"O thus be it ever when free men shall stand
Between their loved homes and the war's desolation;
Blest with victory and peace, may the Heaven-rescued land
Praise the Power that has made and preserved us a Nation!
Then conquer we must, when our cause it is just;
And this be our motto: "In God is our trust!"
And the Star-Spangled Banner in triumph shall wave
O'er the land of the free and the home of the brave"

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cloyed, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Davis, on motion of Mr. Cooke.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

PETITIONS

By Speaker Sam L. Collins:

The following petition was received, read, and ordered printed in the Journal:

Petition to the Legislature of the State of California Requesting That Proposed Amendment No. 11 to the Charter of the City of Burbank Be Not Approved

We, the undersigned members of the Charter Revision Committee of the City of Burbank, have been advised by the City Attorney if Charter Amendment No. 11, voted on by the people on April 3, 1951, is approved by the Legislature, legal proceedings would be required to determine finally whether earnings and accumulations of the Public Service Department could legally be used for construction, expansion and additions to the electric and water facilities of the Department.

We, therefore, petition the Legislature not to approve the said Charter Amendment No. 11.

Name	*Date*
FRED COLLINS	5-14-51
LEONARD W. HAMNER	5-15-51
EBEN E. ROGERS	5-15-51
E DEAN COWLEY	5-16-51
MARY GOODE ROGAN	5-15-51
MARION W. HEFTON	5-15-51
JOE D. PHILLIPS	5-16-51
MARTHA JANE TOPPING	5-16-51
THEODORE A. EPSTEIN	5-16-51
LEON E. ROPE	5-19-51
ROBERT R. DUKE	5-19-51
M G. RECKSIECK	5-19-51
GEO. J. BOCK, JR.	5-20-51
ROBERT W. ROBINSON	5-20-51
MARLAN PROCTOR	5-21-51

ANNOUNCEMENT

Speaker Sam L. Collins announced that, because members are careless in tearing legislative bills from their bill files, complaints are constant that bills are not properly on the desks of members during debates. He urged that members request the Sergeant-at-Arms to obtain needed bills from the Legislative Bill Room and to avoid mutilating the bill books, as an aide to expediting the work.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2599 FROM ENROLLMENT

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 2599 from enrollment.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 70: By Mr. Burkhalter—Rejecting a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to the Committee on Rules.

Assembly Concurrent Resolution No. 71: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said City at the general municipal election held therein on the third day of April, 1951.

Referred to the Committee on Rules.

Assembly Concurrent Resolution No. 72: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 73: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 74: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 75: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 76: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 77: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to the Committee on Rules.

Assembly Concurrent Resolution No. 78: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 79: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 80: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 81: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 82: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 83: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 84: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 85: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Concurrent Resolutions Nos. 70 to 85, Inclusive

Mr. Burkhalter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolutions Nos. 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84 and 85.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 28, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 3279, entitled: "An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons."

My objections to this bill are as follows:

If the sole purpose of the bill is to authorize boards of supervisors to contract with approved colleges of mortuary science that are licensed as funeral directors by the State Board of Funeral Directors and Embalmers I seriously doubt the necessity of the bill. Under present law boards of supervisors may contract for this purpose with any duly licensed funeral director or embalmer.

However, if this is the sole purpose of the bill and it were so written I would have no objection to signing it if the Legislature was of the opinion that this right should be made more clear

My main objection to the bill is the following language: "Bodies of the unclaimed dead shall be made available to the State Department of Public Health in accordance with the provisions of Sections 7200 to 7208 of the Health and Safety Code"

If the sole purpose of the bill is to provide for the contracts as previously mentioned, this provision is entirely unnecessary and should be eliminated. If on the other hand it attempts to change the law concerning unclaimed bodies it is of sufficient gravity to warrant a full and public consideration by the Legislature which it may not have had when it is considered that this language appears to be incidental to the main change made by this bill There are many elderly people in our State both in institutions and without who will always believe that this language was inserted for the purpose of authorizing the disposal of their bodies for dissection. I do not believe that this inference should be permitted to disturb these unfortunate citizens during their terminal illnesses or their final days of life

If the Legislature, upon reflection, believes the remainder of the act without this language is essential to permit boards of supervisors to contract with colleges of mortuary science, I would have no objection to signing such a bill.

Respectfully submitted

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 3279

May 28, 1951

I acknowledge receipt this twenty-eighth day of May, 1951 at 3.40 o'clock p m. of Assembly Bill No 3279 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 29, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 3279,** entitled: "An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A Ohnimus, Chief Clerk of the Assembly, at 3·40 o'clock p.m. on the twenty-eighth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 3279 ordered to the unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1302
Assembly Bill No 2086
Assembly Bill No. 2299
Assembly Bill No. 2573
Assembly Bill No 3175

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 894
Assembly Bill No. 2737
Assembly Bill No. 3440

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 1717

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 19
Assembly Bill No. 426

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 2719
Assembly Bill No. 2816

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 364
Senate Bill No. 372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 386

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 693

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1463

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1418
Assembly Bill No 1767
Assembly Bill No. 2363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 743

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 781
Assembly Bill No. 1356

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1204

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GEDDES, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Ward, and James E. Cunningham as a Committee on Conference concerning:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500,

503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Miller, and James E. Cunningham as a Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a; 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators James E. Cunningham, Regan, and Watson as a Committee on Conference concerning:

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1145
Assembly Bill No. 1147
Assembly Bill No. 1278

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 121
Assembly Bill No. 1851
Assembly Bill No. 1852
Assembly Bill No. 1871
Assembly Bill No. 2692

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Ward, and James E. Cunningham as a Committee on Conference concerning:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

And appointed Senators Desmond, James E. Cunningham, and Tenney, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 330

The Speaker announced the appointment of Messrs. Fleury, Silliman, and Hawkins as a Committee on Conference concerning Senate Bill No. 330.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 72

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 72—Relative to State Park System.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 84
Senate Bill No. 496
Senate Bill No. 514
Senate Bill No. 520
Senate Bill No. 597
Senate Bill No. 728
Senate Bill No. 1127
Senate Bill No. 1597
Senate Bill No. 1600
Senate Bill No. 1809
Senate Bill No. 1812
Senate Bill No. 1822

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 84—An act to repeal Section 27370 of the Government Code, relating to recorder's fees

Referred to Committee on Municipal and County Government.

Senate Bill No. 496—An act to authorize the Governor to execute for, on behalf of, and in the name of the State of California, a compact or agreement entitled, "Interstate Civil Defense and Disaster Compact."

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 514—An act to amend Sections 3, 12, 14, 16, 17, 28, 30, and 35 of, and to add Sections 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 30.10, 30.11, 30.12, 30.13, 30.14, 30.15, and 30.16 to, and

to repeal Sections 13, 15, 18, and 29 of, the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district, the incurring of indebtedness, the issuing and selling of special assessment bonds, the levy and collection of special assessments, and the levy and collection of taxes by said district.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 520—An act to amend Sections 28385, 28386, 28400, 28412, 28413, 28414, 28415, 28416 and 28434, of the Health and Safety Code, relating to canneries.

Referred to Committee on Public Health.

Senate Bill No. 597—An act to amend Section 11501 of the Government Code, adding the Department of Natural Resources to the enumerated agencies to which the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code are applicable.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 728—An act to amend Section 2786 of, and to add Section 2708.1 to the Business and Professions Code, relating to nursing education.

Referred to Committee on Public Health.

Senate Bill No. 1127—An act to amend Section 38742 of the Government Code, relating to municipal water facilities.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1597—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Referred to Committee on Education.

Senate Bill No. 1600—An act to add Section 25306 to the Government Code, relating to powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the

purposes of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1822—An act to amend Sections 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to citrus fruits.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, after "benefits", insert ", and making an appropriation".

Amendment No. 2

On page 1 of said bill, following line 15, insert

"SEC. 3. There is hereby appropriated out of any money in the General Fund in the State Treasury the sum of sixty-six thousand three hundred dollars ($66,300) in augmentation of Item 124 of the Budget Act of 1951 for support of the Department of Industrial Relations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing

the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 12 of the title of the printed bill, as amended in the Assembly on May 8, 1951, after "therein", insert ", and making an appropriation".

Amendment No. 2

On page 1, line 6, of said bill, after the comma, insert "upon claim of".

Amendment No. 3

On page 1, line 8, of said bill, strike out "may at any time"; and strike out all of lines 9 and 10, and insert ", or his successor in interest, there shall be refunded the".

Amendment No. 4

On page 1, line 16, of said bill, strike out "the", and insert "such".

Amendment No. 4

On page 1 of said bill, after line 17, insert "from him or from his property under this act Refunds shall bear interest at the rate of 3 percent per annum from the date such moneys were deposited in the State Treasury, to a date preceding the date of the refund warrant by not more than 30 days, as determined by the Controller Any claim for refund under this section may be filed with the State Controller not later than six months after the effective date of this section. The Controller shall audit the claim and draw his warrant for the amount determined to be due

There is hereby appropriated from the State Treasury the amount sufficient to pay refunds and interest under this section That portion of the moneys to be refunded that was deposited in the School Land Fund shall be paid from that fund, and the balance to be refunded, including interest, shall be paid from the General Fund."

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 7, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 671—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty, and compensation and salary during absence on military or naval leave.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after "of", insert ", and add Sections 389, 395 01, 395 02, 395 03, 395.04, 395 05 and 395 06 to,".

Amendment No. 2

In line 4 of the title of said bill, after "leave", insert ", declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert

"395. Any public employee who is a member of the Reserve Corps of the Armed Forces of the United States or of the National Guard or the Naval Militia shall be entitled to a temporary military leave of absence while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as such member providing that the period of ordered duty does not exceed 180 calendar days including time involved in going to and returning from such duty.

He shall have an absolute right to be restored to his former office or position and status formerly had by him in the same locality and in the same office, board, commission, agency, or institution of the public agency upon the termination of such temporary military duty. If the office or position has been abolished or otherwise has ceased to exist during his absence, he shall be reinstated to a position of like seniority, status, and pay if such position exists, or if no such position exists he shall have the same rights and privileges that he would have had if he occupied the position when it ceased to exist and had not taken temporary military leave of absence.

Any public employee who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the date upon which his temporary military leave of absence begins, shall receive the same vacation, sick leave, and holiday privileges and the same rights and privileges to promotion, continuance in office, employment, reappointment to office, or re employment that he would have enjoyed had he not been absent therefrom; excepting that an uncompleted probationary period if any in the public agency must be completed upon reinstatement as provided by law or rule of the agency. For the purposes of this section, in determining the one year of service in a public agency all service of said public employee in recognized military service shall be counted as public agency service.

SEC. 2 Section 395.01 is added to said code, to read.

395.01. Any public employee who is on temporary military leave of absence and who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the day on which the absence begins shall be entitled to receive his salary or compensation as such public employee for the first 30 calendar days of any such absence Pay for such purposes shall not exceed 30 days in any one fiscal year. For the purposes of this section, in determining the one year of public agency service, all service of said public employee in the recognized military service shall be counted as public agency service

SEC. 3 Section 395 02 is added to said code, to read:

395 02. Every officer and employee of a public agency who is on military leave other than temporary military leave of absence who has been in the service of such public agency for a period of not less than one year immediately prior to the date on which the absence begins shall be entitled to receive his salary or compensation as such officer or employee for the first 30 calendar days while engaged in the performance of ordered military duty.

As used in this section only, the terms "officer" and "employee" means an officer or employee who

(a) Is ordered into active military duty as a member of a reserve component of the Armed Forces of the United States;

(b) Is ordered into active federal military duty as a member of the National Guard or Naval Militia; or

(c) Is inducted, enlists, enters or is otherwise ordered or called into active duty as a member of the Armed Forces of the United States.

SEC. 4. Section 395 03 is added to said code, to read:

395 03. No more than the pay for a period of 30 calendar days shall be allowed under the provisions of Section 395 01 and 395 02, or both, for any one military leave of absence or during any one fiscal year.

SEC 5. Section 395.04 is added to said code, to read:

395.04. During such time as an officer or enlisted man of the California National Guard, who is on full-time active duty in the military service of the State, and is engaged, with the approval of the Adjutant General, in the military service of the State in attendance at drills, camps, or special exercises, sponsored by federal authority or by the War Department, as a member of the National Guard of the United States, he shall receive his salary, pay, and compensation as provided in Sections 320 and 321 of this code.

SEC 6. Section 395 05 is added to said code, to read:

395 05. Any public employee who is a member of the National Guard, shall be entitled to absent himself from his duties or service, without regard to the length of his public service, while engaged in the performance of ordered military or naval duty and while going to and returning from such duty, provided such duty is performed during such time as the Governor may have issued a proclamation of a state of extreme emergency or during such time as the National Guard may be on active duty in one or more of the situations described or included in Section 146 of this code

provided such absence does not exceed the duration of such emergency. During the absence of such officer or employee while engaged in such military service during such emergency and while going to and returning from such duty, and for a period not to exceed 30 calendar days, he shall receive his salary or compensation as such officer or employee and shall not be subjected by any person directly or indirectly by reason of such absence to any loss or diminution of vacation or holiday privilege or be prejudiced by reason of such absence with reference to promotion or continuance in office, employment, reappointment to office, or re-employment.

SEC. 7. Section 395.06 is added to said code, to read:

395.06. Every officer or enlisted man of the National Guard who, in order to undertake active military duty in the service of the State during such time as the Governor may have issued a proclamation of a state of insurrection pursuant to Section 143 of this code or proclamation of state of extreme emergency or during such time as the National Guard may be on active duty in one or more of the situations described or included in Section 146 of this code, has left or leaves a position, other than a temporary position, in the employ of a private employer, and who receives a certificate of satisfactory service in the National Guard, and is still qualified to perform the duties of such position, and makes application within 40 days after he is relieved from such active emergency service shall be considered as on leave of absence during such period and shall be restored by his former employer to the former position or to a position of like seniority, status and pay without loss of retirement or other benefits unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so, and shall not be discharged from the position without cause within one year after being restored to said position.

In case any employer fails or refuses to comply with the provisions of this section the superior court of the county in which such employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and, as an incident thereto, to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case and shall advance it on the calendar. Upon application to the district attorney of the county in which such employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such district attorney, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof to specifically require such employer to comply with such provisions. No fees or court costs shall be taxed against the person so applying for such benefits.

SEC. 8. It is hereby declared that this act except for the provisions of subdivision (c) of 395.02 of the Military and Veterans Code as amended hereby, is not a change in the present law but is a declaration of existing law as it has existed since the effective date of Chapter 1396, Statutes of 1949.

SEC. 9. Section 389 is added to said code, to read:

389. (a) As used in this chapter, "temporary military leave of absence" means a leave of absence from public employment to engage in ordered military duty for a period which by the order is not to exceed 180 calendar days including travel time for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as a member of the reserve corps or force of the Armed Forces of the United States, or the National Guard, or the Naval Militia.

(b) "Public employee" means any officer or employee of a public agency.

(c) "Public agency" means the State, or any county, city and county, city, municipal corporation, school district, irrigation district, water district, or other district.

(d) "Armed Forces" or "Armed Forces of the United States" means the "Armed Forces" as defined in Section 18540 of the Government Code.

(e) "Recognized military service" means service as defined in Section 18540.3 of the Government Code.

SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such urgency is as follows:

Due to the Korean crisis and the unsettled world conditions many thousands of public employees, including more than 1,000 state employees, are now on military leaves of absence and serving with the Armed Forces. The rights of such persons under existing provisions of the Military and Veterans Code are uncertain due to ambiguities in the existing law. This uncertainty has and will continue to result in delayed actions on the claims of such employees and has further resulted in hardship to the employees involved and to their families. These conditions may well affect the morale of those employees who are now in the Armed Forces and render them less able to perform their military duties. It is therefore necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 4 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 14, 29, 34, 35.3, and 45.7 and to repeal Sections 12 and 33 of the Community Redevelopment Act, and to amend Sections 33003, 33004, 33013, 33047, 33048, 33267, 33500, and 33885 of, to repeal Section 33011 and Article 2 and renumber Articles 3, 4 and 5 of Chapter 3 of Part 1 of Division 24 of, and to add Section 33004.5 to, the Health and Safety Code, relating to redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "2, 2.1, 5, 14, 29, 34, 35.3 and 45.7 and to repeal Section 12 and 33", and insert "2, 2.1, 5, 33, 45.7 and 68".

Amendment No. 2

Strike out lines 4 to 9, inclusive, of the title of said bill, and insert "Sections 33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, to repeal Sections 33739 and 33740 of the Health and Safety Code, relating to redevelopment."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within **brackets.**

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 18, inclusive, and insert

"SEC. 5. 'Redevelopment area' means an area of a community which [the legislative body thereof finds] is a blighted area [whose] *the* redevelopment *of which* is necessary to effectuate the public purposes declared in this act. A redevelopment area need not be restricted to, or consist entirely of, buildings, improvements, or lands which of themselves are detrimental or inimical to the public health, safety or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area. A redevelopment area may therefore include lands, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but whose inclusion is found necessary for the effective redevelopment of the area of which they are a part."

Amendment No. 4

Strike out all of pages 2, 3, 4, and lines 1 to 25, inclusive, of page 5 of said bill, and insert

"SEC. 2. Section 33 of said act is amended to read:

Sec. 33. [The legislative body of the community may by ordinance adopted by a majority vote of the entire membership, designate one or more areas within the community as a redevelopment area or areas. Each such ordinance shall include a legal description of the boundaries of the area or areas designated as a redevelopment area.]

[The agency or the planning commission may request the legislative body of the community to designate one or more areas within the community as a redevelopment area or areas.]

[Any person, group, association or corporation may, in writing, petition the legislative body to designate one or more areas within the community as redevelopment areas, and may submit with their petition plans showing the proposed redevelopment of such areas or any part or parts thereof.]

Redevelopment areas may be designated by resolution of the legislative body, or the legislative body may by resolution authorize the designation of redevelopment areas by resolution of the planning commission, or by resolution of the members of the agency.

The resolution designating a redevelopment area or areas shall contain the following:

(a) A finding that the area designated is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this act;

(b) A finding that the area requires study to determine if a redevelopment project or projects within said area are feasible;

(c) A description of the boundaries of the area designated.

Any person, group, association or corporation may in writing request the legislative body (or the planning commission or the agency if they are authorized by the legislative body to designate redevelopment areas) to designate a redevelopment area or areas for project study purposes, and may submit with their request plans showing the proposed redevelopment of such areas or any part or parts thereof."

Amendment No. 5

On page 5, line 26, of said bill, strike out "SEC. 8.", and insert "SEC. 3."

Amendment No. 6

On page 7, line 39, of said bill, strike out "SEC. 9.", and insert "SEC. 4."

Amendment No. 7

On page 7, line 45, of said bill, strike out "SEC. 10.", and insert "SEC. 5."

Amendment No. 8

On page 8 of said bill, following line 20, insert

"SEC. 6. Section 68 of said act is amended to read:

SEC. 68. [If the plan provides for the displacement, whether temporary or permanent, or any occupants of housing facilities in the project area, the legislative body shall not approve the plan, except upon the finding that adequate permanent housing facilities are or will be made available in the community for such displaced occupants at rents comparable to those obtaining in the community at the time of their displacement.]

[The legislative body shall further be satisfied that such permanent housing facilities shall, in any event, be made available within three years from the time such occupants will be displaced; and that pending the development of such permanent housing facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those obtaining in the community at the time of their displacement.]

[If persons of low income (as defined in the Housing Authorities Law) are to be displaced, the legislative body shall, prior to its approval of the redevelopment plan, obtain and consider the recommendations of the Housing Authority, if any, authorized to transact business in the community, with respect to the availability and provision of adequate housing for such persons of low income.]

If the plan provides for the displacement of any occupants of housing facilities in the project area, the legislative body shall approve the plan only after finding that adequate housing facilities are or will be made available in the community for such displaced occupants, and that the agency has developed a plan satisfactory to the legislative body for the relocation of such occupants."

Amendment No. 9

On page 8, line 21, of said bill, strike out "SEC. 11.", and insert "SEC. 7."

Amendment No. 10

On page 8 of said bill, strike out lines 23 to 26, inclusive, and insert

"33003. 'Redevelopment area' means an area of a community which [the legislative body thereof finds to be] *is* a blighted area [whose] *, the* redevelopment *of which* is necessary to effectuate the public purposes declared in this part."

Amendment No. 11

On page 8 of said bill, strike out lines 27 to 51, inclusive; strike out all of page 9; and strike out and lines 1 to 19, inclusive of page 10.

Amendment No. 12

On page 10, line 20, of said bill, strike out "SEC. 19.", and insert "SEC. 8."

Amendment No. 13

On page 11, line 1, of said bill, strike out "SEC. 20.", and insert "SEC. 9."

Amendment No. 14

On page 11 of said bill, following line 6, insert

"SEC. 10. Section 33480 of said code is amended to read:

33480 [By ordinance adopted by a majority vote of the entire membership, the legislative body may designate one or more areas within the community as a redevelopment area. The ordinance shall include a legal description of the boundaries of the area designated.]

Redevelopment areas may be designated by resolution of the legislative body or the legislative body may by resolution authorize the designation of redevelopment areas by resolution of the planning commission, or by resolution of the members of the agency.

SEC. 11. Section 33481 of said code is amended to read:

33481. [The agency or the planning commission may request the legislative body to designate one or more areas within the community as a redevelopment area.]

The resolution designating a redevelopment area or areas shall contain the following.

(a) A finding that the area designated is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this act;

(b) A finding that the area requires study to determine if a redevelopment project or projects within said area are feasible;

(c) A description of the boundaries of the area designated."

SEC. 12. Section 33482 of said code is amended to read:

33482. [Any person, group, association, or corporation may petition the legislative body in writing to designate one or more areas within the community as redevelopment areas, and may submit with the petition plans showing the proposed redevelopment of such areas or any part thereof.]

Any person, group, association or corporation may in writing, request the legislative body (or the planning commission or the agency if they are authorized by the legislative body to designate redevelopment areas) to designate a redevelopment area or areas for project study purposes, and may submit with their request plans showing the proposed redevelopment of such areas or any part or parts thereof.

SEC. 13. Section 33738 of said code is amended to read:

33738. If the plan provides for the [temporary or permanent] displacement of any occupants of housing facilities in the project area, the legislative body shall [not] approve the plan [except upon the] *only after* finding that adequate [permanent] housing facilities are or will be made available in the community for such displaced occupants, [at rents comparable to those in the community at the time of their displacement] *and that the agency has developed a plan satisfactory to the legislative body for the relocation of such occupants.*

SEC. 14. Section 33739 of said code is hereby repealed.

SEC. 15. Section 33740 of said code is hereby repealed."

Amendment No. 15

On page 11, line 7, of said bill, strike out "SEC. 21.", and insert

"SEC. 16."

Amendment No. 16

On page 11 of said bill, strike out lines 15 to 36, inclusive, and insert

"SEC. 17. Sections 7 to 16, inclusive of this act become operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 2, 2.1, 5, 33, 45.7 and 68 of the Community Redevelopment Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 3159

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 3159 was passed be reconsidered.

Speaker Pro Tempore Presiding

At 9.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Grunsky, Kirkwood, Grant, Luckel, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Lyon that the vote whereby Assembly Bill No. 3159 was passed be reconsidered.

The roll was called, and the bill reconsidered by the following vote:

AYES—Babbage, Brady, Burke, Burkhalter, Clarke, Collier, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rumford, Sherwin, Silliman, Stewart, Tomlinson, and Mr. Speaker—44.

NOES—Beck, Berry, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Fleury, Gaffney, Hagen, Kirkwood, Luckel, Moss, Munnell, and Shaw—16.

Assembly Bill No. 3159 ordered to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dunn to reconsider the vote whereby Assembly Bill No. 1715 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Henderson to reconsider the vote whereby Assembly Bill No. 2936 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1730, on motion of Mr. Erwin.

Assembly Bill No. 710—An act to amend Section 902 of the Probate Code, relating to executors and administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—57.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 357—An act to add Section 6006.1 to the Revenue and Taxation Code, relating to the taxation of the privilege of selling and of storing, using or otherwise consuming tangible personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Hagen, Hahn,

Hawkins, Henderson, Kelly, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, and Tomlinson—50.

NOES—Dunn—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2086

Mr. Grant asked for, and was granted, unanimous consent to take up Assembly Bill No. 2086, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2086

Assembly Bill No. 2086—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Stewart, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON CONTINUATION OF NOTICE OF MOTION TO RECONSIDER

Mr. Silliman moved to expunge the record, and rescind the action whereby the Assembly on this day continued until the next legislative day the notice of motion by Mr. Henderson to reconsider the vote whereby Assembly Bill No. 2936 was passed.

Mr. Cloyed seconded the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the motion not in order, at this time.

Point of Order

Mr. Fleury arose to the following point of order: That there is nothing before the House, and the matter under discussion is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 302

Mr. Lyon asked for unanimous consent to take up Assembly Bill No. 302, out of order, at this time.

Mr. Hagen withheld unanimous consent.

Speaker Presiding

At 10.35 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, and Tomlinson—63.

NOES—Babbage and Lowrey—2.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1534 Hold Place on File

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 1534 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 65—Relative to study and investigation of the feasibility of an over-all program of aviation education.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1041—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon;

Assembly Bill No. 1126—An act to amend Sections 5004 and 5005 of the Public Utilities Code, and Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 208—An act to amend Sections 2571 and 2573 of the Elections Code, relating to elections;

Assembly Bill No. 209—An act to amend Section 2454 and repeal Sections 2455, 2456, 2457, 2458, and 2459 of the Elections Code, relating to county central committees;

Assembly Bill No. 229—An act to amend Sections 5565 and 5724 of the Elections Code, relating to the conduct of elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 53—Relative to merit awards to state employees;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1997—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle;

Assembly Bill No. 3031—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1361—An act providing for the constitution of the municipal court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1619—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles;

Assembly Bill No. 1620—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1270—An act to add Section 151 1 to the Vehicle Code, relating to registration of vehicles;

Assembly Bill No. 1272—An act to amend Section 177 of the Vehicle Code, relating to notices of sales by vehicle dealers;

Assembly Bill No. 1273—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1011—An act to amend Section 380 of the Vehicle Code, relating to fees to be paid for transfer of title or interest in a vehicle;

Assembly Bill No. 1012—An act to amend Section 383.1 of the Vehicle Code, relating to refunds of registration fees;

Assembly Bill No. 1013—An act to add Section 210 1 to the Vehicle Code, relating to registration on nonresident vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements;

Assembly Bill No. 139—An act to amend Section 7207 of the Elections Code, relating to elections;

Assembly Bill No. 207—An act to amend Sections 2574, 2576, 2111, 2152, 2155, 2301, 2350, 2353, and 2402 of the Elections Code, relating to forms pertaining to primary elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 66
Assembly Concurrent Resolution No 68

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 70
Senate Concurrent Resolution No 79

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 149

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 164

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2268

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 539

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 991
Assembly Bill No. 1957

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 2776

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2009
Assembly Bill No. 2501
Assembly Bill No. 3432

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1501—An act to amend Section 14084 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Smith, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3321—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "five hundred dollars ($500)", and insert "six hundred twenty-five dollars ($625)".

Amendment No. 2

On page 2, line 13, of said bill, strike out "said", and insert "such".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3431—An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—Cloyed and George D Collins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 233—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read third time, and ordered passed on file.

Request for Unanimous Consent That Assembly Bill No. 2905 Hold Place on File

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Bill No 2905 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 1302—An act to amend Sections 697, 699, and 701 of the Vehicle Code, relating to height and length, loads and towing of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, and Tomlinson—57.

NOES—Collier and Lowrey—2.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dolwig announced that, because of the courtesy of Pan American World Airways, a large group of eighth grade students from San Carlos have been flown to Sacramento for the purpose of observing the Legislature in session. He further announced that the grandson of Mr. Cooke is the president of this class, and that another grandson is also in the balcony with this group; that the son of Mr. Cooke, who is associated with Pan American World Airways, arranged this trip; and that luncheon will be held in the park with Governor Earl Warren and he and Mr. Cooke in attendance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, and Tomlinson—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3175—An act to amend Sections 3215, 3227, and 3605 of the Public Resources Code, relating to oil or gas

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—54.
NOES—Beck and George D. Collins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 894—An act to amend Section 737a of the Political Code and Section 79.1 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—55.
NOES—Dunn, Geddes, and Luckel—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MEMBER EXCUSED

At 11.16 a.m., Mr. Morris asked for, and was granted, unanimous consent that Mr. Hahn be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2737—An act to add Part 5.5 to Division 5 of the Labor Code relating to safety standards for longshore, stevedore and waterfront warehouse operations.

Bill read third time.

Speaker Presiding

At 11.17 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Messrs. Gaffney and Thomas moved a call of the Assembly.

Motion carried. Time, 11.19 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Burke, Connolly, Cooke, Dolwig, Lanterman, Lindsay, Lowrey, Luckel, Morris, Porter, Rosenthal, and Sherwin—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 39

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 66
Assembly Concurrent Resolution No. 68

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 302 HOLD PLACE ON FILE

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2433—An act to add Section 123.5 to the Elections Code, relating to registration of electors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bills Nos. 2570 and 2571 Hold Places on File

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Bills Nos. 2570 and 2571 be passed on file, and hold their places on file on the next legislative day.

Assembly Bill No. 3109—An act to add Sections 6360, 6360.1, and 6360.2 to, and repeal Sections 6357 and 6357.1 of, the Education Code, relating to school district taxes.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 25, 1951, strike out "6360, 6360.1, and 6360 2", and insert "6360.1, 6360 2, and 6360 3".

Amendment No. 2

On page 1, line 2, of said bill, strike out "6360", and insert "6360.1".

Amendment No. 3

On page 1, line 4, of said bill, strike out "6360", and insert "6360.1".

Amendment No. 4

On page 2, line 10, of said bill, strike out "6360 1", and insert "6360.2".

Amendment No. 5

On page 2, line 11, of said bill, strike out "6360.1", and insert "6360.2".

Amendment No. 6

On page 2, line 31, of said bill, strike out "6360", and insert "6360.1".

Amendment No. 7

On page 2, line 35, of said bill, strike out "6360.2", and insert "6360 3".

Amendment No. 8

On page 2, line 36, of said bill, strike out "6360.2", and insert "6360.3".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2922—An act to amend Section 28121 of the Government Code and Section 421 of the Education Code, relating to compensation for public service in a county of the twenty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 165

Relating to Observance of Memorial Day

WHEREAS, Since after the Civil War the states have set aside a day each year for commemorating the vital sacrifices made by men and women in the defense of democratic principles; and

WHEREAS, Each conclusion of hostilities builds its own monument to the ideals espoused by those we honor. Their abundant faith in the causes for which they fought and died is the monument to which we must bear homage; and

WHEREAS, As new challenges arise to our Nation calling for sacrifices from all in varying degrees, the willingness of those that have gone before, an indispensable to

the survival of a free Nation, give us inspiration and strength that we shall execute their trust established by their greatest of sacrifices; now, therefore, be it

Resolved by the Assembly of the State of California, That May 30, 1951, be set aside as Memorial Day, a day to especially honor those who have kept our Nation free by denying themselves the object of their sacrifice.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 165, at this time, without reference to committee or file.

Resolution read, and adopted.

Speaker Pro Tempore Presiding

At 11.28 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1642, on request of Mr. Caldecott.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.30 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Senate Bill No. 293—An act to add Section 1384.6 to the Fish and Game Code, relating to the importation of carcasses or parts thereof of domesticated game birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 294—An act to repeal Section 1290 of, and to add new Section 1290 to, the Fish and Game Code, relating to deer hides.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.35 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 297—An act to amend Section 1281 of the Fish and Game Code, relating to deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Smith, Stewart, and Tomlinson—56.

NOES—Dills, Geddes, Levering, Lincoln, Lowrey, Shaw, and Mr. Speaker—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Bill read third time.

Demand for Previous Question

Messrs. Shaw, Burke, Doyle, Lanterman, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 298.

Motion That Senate Bill No. 298 Be Re-referred to Committee

Mr. Belotti moved that Senate Bill No. 298 be withdrawn from the third reading file, and be re-referred to the Committee on Fish and Game.

Mr. Silliman seconded the motion.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2022

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 122
Assembly Bill No. 892
Assembly Bill No. 1507
Assembly Bill No. 2214
Assembly Bill No. 2864
Assembly Bill No. 3006
Assembly Bill No. 3189
Assembly Bill No. 3205
Assembly Bill No. 3434

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 3434 and 2864 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 122 and 2214 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 3006 and 2022 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 1507 and 3205 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 892 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3189 re-referred to the Committee on Education.

Senate Bills Nos. 731 and 820 re-referred to the Committee on Public Health.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 86: By Mr. Porter—Approving the charter amendments to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 87: By Mr. Grant—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of May, 1951.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 82

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "*Hatch* v. *Wildlife Conservation Board.*"

Referred to Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2737

At 11.50 a.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2737 passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—49.

NOES—Babbage, Burke, Clarke, Cloyed, Collier, Conrad, Erwin, Fleury, Grunsky, Hansen, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, McGee, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—23.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.52 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 928, on request of Mr. Geddes.

ANNOUNCEMENT

Mr. Fleury announced that lawyer Members of the Assembly are invited to a luncheon, upon recess this noon, at the Hotel Senator, as guests of the Sacramento Bar Association.

RECESS

At 11.56 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 70

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the electric voting machine is temporarily out of order.

RECESS

At 2.01 p.m., on motion of Mr. Connolly, the Assembly recessed until 2.30 p.m. for the purpose of permitting the technicians to repair the electric voting machine.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal from the Interim Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your committee presents the following Report on the Grade Crossings Separation problem prepared by the staff of the Institute of Transportation and Traffic Engineering, University of California at Berkeley.

At the 1949 Session of the Legislature the Assembly pursuant to House Resolution No. 44, created the Interim Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings. The resolution directed the committee as follows:

WHEREAS, The problem of tideland reclamation and development in Northern California, and particularly in the San Francisco Bay region, is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that, with the rapid growth of industry and commerce within the borders of the State of California, and which is easily accessible to highways, rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State desire land easily accessible to highways, rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, An essential part of such a development program involves consideration of providing adequate highway facilities and integrating plans for state highway facilities with the plans for such reclamation and development of industrial sites; and

WHEREAS, There presently exists a serious condition wherein the people of the State living in the valleys of Northern California are greatly harassed by traffic congestion in and about the San Francisco Bay area and the people of the State living on the San Francisco-San Mateo Peninsula are not being adequately served by the present means of ingress and egress from the northern and central portions of the State; and

WHEREAS, The State now has under consideration plans for the construction of additional San Francisco Bay crossings and there is pending before this legislature a proposal for an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of such crossing; and

WHEREAS, There are differences of opinion as to which location and type of crossing would be most advantageous to the people of the State; and

WHEREAS, The construction of such crossing and the location thereof is a material factor in the development of a program for tideland reclamation and development of the San Francisco Bay area; and

WHEREAS, There is urgent need for the Legislature to be fully advised as to all facts relating to the foregoing; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California and particularly in the San Francisco Bay region;

(b) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(c) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated cost of any or all such projects;

(d) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

The scope of the committee's activities has been broad, consequently it has been necessary to divide the studies into three distinct subjects and treat them as individual units of a bay area regional problem. They are:

1. Transbay crossings.
2. Tideland reclamation and development.
3. The San Francisco Bay project—the Reber Plan.

It is readily perceivable that the traffic problem is the integral factor in each of these studies and that it is impossible to reach any

definite conclusions or recommendations relative to these subjects until we have first formulated a plan of action to remedy the existing traffic situation.

In its studies of the many problems involved in present highway facilities as the means of ingress and egress from the northern and central portions of the State, the committee was ever mindful of the mounting public interest and pressure for increased grade crossing separations. In answer to these demands hearings were held in San Mateo and San Francisco. While the purpose for which this Committee was created is limited to the consideration of problems within a specified geographical area, the Committee sought information pertinent to the solution of these problems from other relevant sources where similar problems exist.

The study embraced in this report is considered to be one of the "principal factors" involved in the proper solution to this problem.

From the testimony presented at the hearings it would appear that the pressure for increased grade crossing separations is out of proportion to the accident hazard but that it derives more from irritation of an increasing driving public over delay factors.

For a realistic approach to the problem, information of a new kind may be necessary if a true evaluation of needs for the basis of a sound program is to be developed.

Based upon this report and the evidence of testimony presented at the hearings, the committee makes the following recommendations:

1. That legislation should be introduced to establish a procedural basis for assigning costs for the purposes of classifying current cases, and to establish a procedural basis for a state-wide railroad-highway crossing program which may be provided by future legislation.

2. If a statewide railroad-highway crossing program is undertaken, that the benefit-cost ratio be seriously considered as the basis for determining (a) justification for separations (b) priorities.

3. That a statewide railroad-highway crossing program requires further intensified study of the problem by this Committee, including the gathering of needed background data concerning (a) knowledge of delay factors, (b) coordination of state and local planning to avoid wastage of funds in any crossing separation program.

Respectfully submitted.

RANDAL F. DICKEY
FRANCIS DUNN, JR.
EDWARD M. GAFFNEY
ERNEST R. GEDDES
RICHARD J. DOLWIG, Chairman
GEORGE D. COLLINS, JR.
ARTHUR H. CONNOLLY, JR.
ROBERT I. MCCARTHY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Dolwig asked for, and was granted, unanimous consent that the above letter of transmittal and above mentioned report be printed as a separate document, and that 500 copies be ordered printed

RESOLUTIONS

The following resolution was offered:

By Messrs. Doyle, Hollibaugh, Geddes, and Porter:

House Resolution No. 166

Relative to a comprehensive study of the laws relating to sex crimes.

WHEREAS, The shocking report of the sex-murder of the 10 year old girl in Orange County has re-emphasized the need for more stringent regulation of repeated violators of the laws relating to sex crimes; and

WHEREAS, There exists fundamental differences of opinion among those who are experts in the various fields concerned with the problem of sex crimes as to the scope of the problem, the manner in which it is to be met, the program to be followed to protect the public health and safety, and the disposition of sex offenders, their treatment and rehabilitation; and

WHEREAS, There is an obvious need for more stringent enforcement, imposition of full sentences, increased punishments for such offenses, and a re-vamping of the entire system of regulation of sex-offenders, and

WHEREAS, Such a program can be accomplished only after a full and comprehensive study of all the problems relating to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judicial System and Judicial Process, or the corresponding investigating committee created at this session, is hereby authorized and directed to make a full and comprehensive study of the subject matter of this resolution and of all matters relating to the punishment of sex offenders and the applicability to such persons of the laws relating to the indeterminate sentence, probation, and the screening and surveillance of such persons, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly at the 1952 Regular Session, including in the reports its recommendations for appropriate legislation; and be it further

Resolved, That the Governor of the State of California is respectfully urged to proclaim the subject of sex crime legislation as a matter for legislation at a special session to run concurrently with its 1952 Regular Session, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Honorable Earl Warren, Governor of the State of California.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 827

Mr. Geddes asked for and was granted, unanimous consent to take up Assembly Bill No. 827, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 827

Assembly Bill No. 827—An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body organizations established in state colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 25, 1951, strike out lines 16 to 36, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grunsky:

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages, and licenses of wine brokers.

Respectfully submitted.

DONALD L. GRUNSKY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grunsky:

An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages, and licenses of wine brokers.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grunsky moved a call of the Assembly.

Motion carried. Time, 2.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Chapel, Coats, Cooke, Davis, Dolwig, Evans, Hahn, Kilpatrick, Lanterman, Lindsay, Lyon, McGee, Rosenthal, and Sherwin—14.

Further Proceedings Under Call of the Assembly Dispensed With on Permission to Introduce Bill

At 2 40 p.m., on motion of Mr. Grunsky, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted to Mr. Grunsky by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3446: By Mr. Grunsky—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Referred to Committee on Boards and Commissions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 70

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Messrs. Smith and Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 70, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 70

Assembly Concurrent Resolution No. 70—Rejecting a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2689

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill orderd to third reading.

Speaker Pro Tempore Presiding

At 2.55 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1830 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1830 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Judiciary.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1883, on request of Mr. McMillan.

Assembly Bill No. 2217, on request of Mr. Fleury.

REQUEST FOR UNANIMOUS CONSENT THAT PETITION IN RESOLUTION FORM BE PRINTED IN JOURNAL

Mr. Burkhalter asked for, and was granted, unanimous consent that a petition in resolution form, relative to requesting the Legislature to reject Charter Amendment No. 11, as adopted at the April 3d Burbank municipal election, be ordered printed in the Journal, in 10 point type, as follows:

BURBANK CHAMBER OF COMMERCE
BURBANK, CALIFORNIA

Petition to the State Legislature to Reject Charter Amendment No. 11 as Adopted at April 3d Burbank Municipal Election

WHEREAS, The Burbank Chamber of Commerce has been advised that the recently approved Charter Amendment No. 11 has an error which would seriously restrict the normal operation of the Public Service Department, in that it could not use its own revenues for "construction and expansion" without first having its right to do so determined by court litigation; and,

WHEREAS, The Burbank Chamber of Commerce is informed that a delay, caused by such litigation, would prove disastrous to the present construction and expansion program now being carried on by the Burbank Public Service Department; and,

WHEREAS, The Burbank Chamber of Commerce was one of the sponsors of several charter amendments, including No. 11 at the April 3d municipal election; and,

WHEREAS, The Burbank Chamber of Commerce, like other groups, endorsed Charter Amendment No. 11 without knowledge that the legal uncertainty arising from the omission of the words "construction and/or alterations" would prove to be of such serious nature; now therefore be it

Resolved, That the Burbank Chamber of Commerce does hereby petition the Legislature of the State of California not to approve Charter Amendment No. 11 for the reasons stated above and that a copy of this resolution be sent to the City Council of the City of Burbank.

Adopted this fourteenth day of May, 1951.

BURBANK CHAMBER OF COMMERCE
BONAR DYER, President
FRANKLIN LOWNEY, General Manager

(SEAL)

CITY OF BURBANK

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF BURBANK

I, ADDIE J. JONES, City Clerk in and for the City of Burbank, California, hereby certify that the next attached is a true and correct copy of Resolution No. 6863 adopted by the City Council of the City of Burbank in regular session on May 24, 1951, and that the same was passed and adopted by the following vote:

AYES: Councilmen Brown, Jolley, Mansfield, Price, and Hilton.
NOES: Councilmen—None.
NOT PRESENT: Councilmen—None.
NOT VOTING: Councilmen—None.

Witness my hand and the official seal of the City of Burbank this twenty-fifth day of May, 1951.

ADDIE J. JONES
City Clerk of the City of Burbank
By _____
(SEAL) Deputy

Resolution No. 6863

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK PERTAINING TO THE SUBMISSION AND ADOPTION OF CHARTER AMENDMENTS BY THE LEGISLATURE OF THE STATE OF CALIFORNIA

Recital:

The Legislature of the State of California approved a charter for the City of Burbank in the year 1927. In 1947 the City Council appointed a committee of fifteen distinguished citizens to study and report on needed changes in this basic law of the City. The Charter Revision Committee, so appointed, recommended to the City Council twenty-three (23) amendments to the City Charter. Of these amendments eighteen (18) were submitted to the people at the General Municipal Election held on April 3, 1951. Sixteen (16) of these proposed amendments were approved by the voters. Among these last mentioned sixteen amendments is Charter Amendment No. 11, which would amend Section 33 of the City Charter relating to the Public Service Department. By its terms, after providing for certain specified payments by the Public Service Department, the funds of the Department are to be deposited in the City Treasury to the credit of the department to be used *"only for the operation and maintenance of said Department"*. The question has arisen whether the aforequoted language is broad enough to permit the Public Service Department to *continue* to use any of its earnings for new construction or additions to, and expansion of, its electric and water facilities.

The City Council after extensive study firmly believes the amendment should be rejected by the Legislature for the following reasons:

Opinion of the City Attorney and O'Melveny and Myers, expert bond and finance counsel, that if the amendment is approved by the legislature, court proceedings would be required to determine whether funds of the Public Service Department could legally be

used to pay for expansion of and additions to the water and power facilities of the Department.

Such legal proceedings or adoption of this proposed charter amendment would result in costly litigation to the city, cause serious delay and, in the event of a decision of the court holding that construction is not included within operation and maintenance would prevent the completion of the expansion program of the Public Service Department started four years ago and upon which approximately $6,000,000.00 has already been paid out of earnings and accumulated funds in the Department without the necessity of any tax levy.

In order to meet the requirements of homes, industries and defense plants for water and electric energy, it is imperative that this construction program be continued and completed without delay. It is estimated that an additional $5,000,000.00 will be required in the next three years to continue and complete the necessary expansion of the water and power facilities of the City.

The people of Burbank approved a bond issue in 1950 for $2,500,000.00 to assist in the continuation of this expansion of the productive capacity of the Department and the principal and interest on the bond issue, it was understood, would be paid out of earnings of the Department. The balance of the cost of such expansion was, likewise, to be paid from the earnings and accumulations of the Department and without the necessity of any tax levy.

The Public Service Department will be able to continue and complete these necessary additions to its water and electric power facilities from its earnings and accumulations unless restricted by the proposed charter amendment or litigation since the present charter provisions permit this.

The present charter provision will remain in effect if the legislature fails to approve the proposed amendment.

The City will suffer no material injury if the proposed amendment No. 11 is not approved by the legislature but homes, business and industry will experience a shortage or total lack of water and electrical power if the current plans for expansion are delayed or stopped by approval of this proposed amendment.

The City and National Defense will be adversely affected by inadequate water and electrical power within the time scheduled by current plans if this amendment is approved Applications for water and electric power are now pending from defense industries requiring capital construction by the Public Service Department which would be delayed or prevented by adoption of this amendment.

NOW, THEREFORE, in pursuance of the foregoing, the City Council does hereby resolve as follows:

First: That the Mayor and City Clerk be and they hereby are directed to prepare and execute a certificate or certificates of ratification by the electors of the City of Burbank of the sixteen charter amendments approved by the voters on April 3, 1951, for delivery to the Legislature of the State of California.

Second: That the Legislature of the State of California be petitioned and requested not to approve and adopt Charter Amendment No. 11 amending Section 33 of the Charter of the City of Burbank.

PASSED and ADOPTED this twenty-fourth day of May, 1951.

RALPH H. HILTON, President of the Council of the City of Burbank

ATTEST: ADDIE J. JONES, City Clerk

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss
CITY OF BURBANK

I, ADDIE J. JONES, City Clerk of the City of Burbank, do hereby certify that the foregoing resolution was passed and adopted by the Council of the City of Burbank at its regular meeting held on the twenty-fourth day of May, 1951, by the following vote:

AYES: Councilmen Brown, Jolley, Mansfield, Price, and Hilton.
NOES: Councilmen—None.
ABSENT: Councilmen—None.

ADDIE J. JONES, City Clerk

ANNOUNCEMENT

Mr. Dickey announced that the Assembly will be in session until tomorrow noon, and that committee meetings will be held in the afternoon and evening as usual, regardless of the fact that tomorrow is Memorial Day.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Levering asked for, and was granted, unanimous consent that the Committee on Industrial Relations be permitted to use the Assembly Chamber on Thursday, June 7th, instead of on Thursday, May 31st, as previously requested, at 8.30 p.m., for the purpose of hearing Assembly Bill No. 3435.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Fish and Game, in Room 3184.
Subcommittee on Governmental Efficiency and Economy, in Room 4130. Subject: Assembly Bill No. 1060.

Today Upon Adjournment—

Elections and Reapportionment, in Room 435.
Agriculture, in Room 2170.
Public Health, in Room 3184.
Social Welfare, in Room 426.

Next Monday, June 11th, At 8 p.m.—

Finance and Insurance, in Room 3184.

It was announced that the following committee would hold no meeting on Monday, June 4th:

Finance and Insurance.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Donald E. Hanson of San Diego.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paul Scharrenberg of San Francisco, Miss Paula Lawson and William Lawson of Menlo Park, and Proctor Jones of Woodside.

On request of Mr. Cloyed, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Verne Warner, and Charles, Richard, and Susan Warner of National City.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. L. S. Stark of Newcastle, formerly of Claremont.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Thibault and Robert Bonner, teachers, and the following pupils of the Nevada City High School: Janice Little, Beverly Gilbert, Rosemary Keenan, Sally Parsons, Jean Lind, Judy Berry, Pauline Lind, Isabel Stuart, Elinore Nay, Carol Householder, Helen Schance, Ida May Peard, Pat Scheimer, Elva Peterson, Shirley Williams, Janet Williams, Dianna Browning, Mary Lou Coughlin, DeAnne Leong, Billie Coons, Roy Richardson, Donald Say, Ted Imus, Joe Fisher, Jack Lewis, Bob Cullen, Ted Ness, Cary Andrews, Robert Oates, Fred Relofond, Herman Nachtman, Peter Hill, Robin Underwood, Edwin Storry, Durol Reynolds, Jack Bunger, Emil Solaro, Sowaj Tanner, Richard Hatwig, Louise Doppelmayr, Joan Hoar, Nancy Schick, Marjorie Thomas, Billie Cucherell, Mary Ann Evans, Elaine Pisani, and Alfred Barker.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George Washington and daughter, Cookie, of San Bernardino.

On request of Mr. Waters and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Arthur D. Guy of Los Angeles.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Archie Le Fors, Wm. T. Hess, E. S. Mackins, Harold Adams, and John Argo of Eureka.

On request of Messrs. Dolwig and Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ruth Melendy and Mrs. Jane R. Combs, Teachers; Mrs. Ruth Kirchner and Mrs. J. B. Cooke, Jr., Room Mothers; J. B. Cooke, Jr., PAA; Thomas Wold, Captain; Grant Baker, Co-Pilot; Joe Randow, Purser; Carie Barlow, Stewardess; Mr. J. E. Mahoney, Principal, High School; Miss Helen Davis, *San Carlos Enquirer;* and the following pupils of the San Carlos School: Janet Ames, Don Andrews, Beverly Kay Aronson, Beverly Barnstin, Brent Barrett, Raymond E. Bolleri, Sharon Brady, Sandra L. Burke, Charles Richard Carney, Ronald Caruso, Michael Cleary, Bleecker Cooke, Phillip Cooke, Bill Coy, Tom Devine, Louann Figari, Annette Frey, Ken L. Greenlee, Adair Gregersen, Joyce Harkness, Raymond Hogan, Carol Ann Kirchner, Donald Kroeck, Linda Lanigan, Toby Larsen, Annette Meilleur, Herbert Mesler, Ronald Mork, Malcolm Tracy, Sandra Ware, Wanda June Weiche, and Jimmy Wooldridge.

ADJOURNMENT

At 3 05 p m , on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a m., Wednesday, May 30, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY

NINETY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 30, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Thou King Eternal, Immortal and invisible, the blessed and only Potentate, may we who cannot see Thee with the eye of flesh, behold Thee steadfastly with the eye of faith.

Give us strength that we may live more bravely and faithfully for the sake of those who are no longer with us here upon earth. Grant that we may so serve Thee day by day that we may be led gently into Thine eternal fellowship.

We thank Thee for a Day of Memory when our grateful Nation turns aside to pay a well-deserved tribute to those who have made a supreme sacrifice paying with their lives, the purchase price of liberty and freedom.

O God hear Thou our Nation's prayer,
We lift our cause to Thee,
We wage the holy war of Christ;
We fight to make men free.

In Jesus' name we pray —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Conrad, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Burke.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Chapel, on motion of Mr. Burke.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 382

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 48
Senate Bill No. 296
Senate Bill No. 596

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 751

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 70

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Joint Resolution No. 35

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1053
Assembly Bill No. 2863
Assembly Bill No. 3060
Assembly Bill No. 3098
Assembly Bill No. 3311
Assembly Bill No. 3391

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 542
Assembly Bill No. 759
Assembly Bill No. 1075
Assembly Bill No. 1076
Assembly Bill No. 1464
Assembly Bill No. 1687
Assembly Bill No. 1901
Assembly Bill No. 1989
Assembly Bill No. 3029
Assembly Bill No. 3177
Assembly Bill No. 3389
Assembly Bill No. 3406

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 21

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 29
Senate Bill No. 315
Senate Bill No. 415
Senate Bill No. 536
Senate Bill No. 537
Senate Bill No. 538
Senate Bill No. 567
Senate Bill No. 857
Senate Bill No. 860
Senate Bill No. 1078
Senate Bill No. 1079
Senate Bill No. 1198
Senate Bill No. 1462
Senate Bill No. 1545
Senate Bill No. 1639
Senate Bill No. 1803
Senate Bill No. 1818
Senate Bill No. 1821
Senate Bill No. 1474

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 315—An act to add Section 12046 to the Education Code, relating to the issuance of credentials.

Referred to Committee on Education.

Senate Bill No. 415—An act to amend Section 2189 of, and to add Section 2923 to, the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803 5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Referred to Committee on Municipal and County Government.

Senate Bill No. 537—An act to amend Section 11501 of the Government Code, relating to enumerated agencies referred to in Section 11500.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 538—An act to amend Section 110.6 of the Business and Professions Code, relating to reports to the Governor and the Legislature by the Department of Professional and Vocational Standards

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 567—An act to amend Sections 5050, 5081, 5082, 5083, 5084, and 5086 of, and to add Sections 5047.2, 5066.1, and 5084.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 857—An act to amend Section 161b of the Civil Code, relating to payments or refunds made pursuant to employee benefit plans.

Referred to Committee on Finance and Insurance.

Senate Bill No. 860—An act to amend Sections 20492, 21024, 21251.1, 21253, and 21331 of, to repeal Sections 21360 of, and to add Sections 21201.5 and 21360 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Referred to Committee on Agriculture.

Senate Bill No. 1462—An act to repeal Sections 3223, 4711, 4712, 4713, 4726, 4727, 4729, 5008, 8821.1, and 13043 of the Education Code; to amend Sections 1012, 1597.2, 1941, 2861, 4667, 4728, 5942, 8103, and 16813 of said code; to amend Section 672 of the Welfare and Institutions Code; and to repeal an act entitled "An act providing for the acceptance, receipt and disposition of property by the State Board of Education, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved June 25, 1945 (Chapter 1046, Statutes of 1945), all relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 1545—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1639—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1803—An act to amend Sections 1, 2, and 4 of an act entitled "An act to aid in the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies," approved May 27, 1943, as amended, enlarging the classes of tenants eligible to occupy such housing, extending the duration of the powers contained in such act, authorizing the exercise of such powers during periods of national emergency to aid in the national defense, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1821—An act to repeal Section 1628a of the Business and Professions Code, relating to examinations for admission to the practice of dentistry.

Referred to Committee on Public Health.

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered engrossed

Assembly Bill No. 2719—An act to regulate the parking of vehicles by the operators of off-street parking facilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2816—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53 55 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 781—An act to amend Section 737gg of the Political Code, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve thousand five hundred dollars ($12,500)".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve thousand five hundred dollars ($12,500)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1356—An act providing for the constitution of municipal courts in districts in Alameda County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the num-".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. The municipal court established in a district embracing the City of Oakland shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(1) There shall be seven judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive six hundred fifty dollars ($650) monthly, and who may appoint the following:

Criminal Division

Four chief deputy clerks, each of whom shall receive four hundred fifty dollars ($450) monthly;

Three deputy assistant clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

Four deputy assistant clerks each of whom shall receive three hundred twenty-five dollars ($325) monthly;

One legal stenographer who shall receive two hundred seventy-five dollars ($275) monthly;

One typist-clerk who shall receive a minimum salary of two hundred six dollars ($206) monthly, with annual increments of ten dollars ($10), ten dollars ($10), twelve dollars ($12), and twelve dollars ($12), to a maximum of two hundred fifty dollars ($250) monthly;

Office of Bail and Fines

One chief deputy clerk who shall receive four hundred fifty dollars ($450) monthly;

Two deputy clerks each of whom shall receive two hundred seventy-five dollars ($275) monthly;

Seven deputy clerks each of whom shall receive three hundred dollars ($300) monthly;

Two deputy clerks each of whom shall receive two hundred fifty-five dollars ($255) monthly;

Five typist clerks and one file clerk, each of whom shall receive a minimum salary of two hundred six dollars ($206) monthly, with annual increments of ten dollars ($10), ten dollars ($10), twelve dollars ($12) and twelve dollars ($12) to a maximum of two hundred fifty dollars ($250) monthly;

Civil Department

One chief deputy clerk, who shall receive five hundred dollars ($500) monthly;

One chief deputy clerk, who shall receive four hundred fifty dollars ($450) monthly;

Seven deputy clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

One stenographer who shall receive a minimum salary of two hundred sixteen dollars ($216) monthly, with annual increments of ten dollars ($10), twelve dollars ($12), twelve dollars ($12) and fourteen dollars ($14) to a maximum of two hundred sixty-four dollars ($264) monthly;

One junior stenographer, who shall receive a minimum salary of one hundred ninety-six dollars ($196) monthly, with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10) and twelve dollars ($12) to a maximum of two hundred thirty-eight dollars ($238) monthly;

(3) The sheriff and his deputies shall act ex officio as the marshal and deputy marshals of the court.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set.

(5) Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk or

attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not. The clerk shall have the power to lay off any employee because of lack of the type of work which such employee was appointed to perform."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1418—An act prescribing the constitution of municipal courts in certain judicial districts in counties or cities and counties of the first class, providing for the number of judges, officers and attaches of such courts and fixing their compensation; also providing for the appointment of such officers and attaches, their tenure of office and for the preservation of their right of civil service status and retirement benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 45, 46, and 47.

Amendment No. 2

On page 4, line 48, of said bill, strike out "(2)", and insert "(1)"

Amendment No. 3

On page 5 of said bill, strike out lines 3 and 4.

Amendment No. 4

On page 5, line 7, of said bill, strike out "Three", and insert "Two"

Amendment No. 5

On page 5 of said bill, strike out lines 12 and 13, and insert "six hundred sixty dollars ($660) monthly. The marshal may appoint the following:".

Amendment No. 6

On page 5, line 20, of said bill, strike out "Three", and insert "Two".

Amendment No. 7

On page 5 of said bill, strike out lines 30 to 34, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1767—An act providing for the constitution of the municipal court in a district embracing the City of Beverly Hills, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on April 16, 1951, strike out ", to be appointed by the judges of the court,".

Amendment No. 2

On page 2 of said bill, strike out lines 13 to 18, inclusive, and insert

"(d) There shall be one marshal who shall receive a salary of six hundred dollars ($600) per month, and who may appoint the following:

Four deputy marshals, each of whom shall receive four hundred forty dollars ($440) per month;

Six deputies (custodians) at a fee allowed by law for keeping property.

(e) Persons who succeed to positions in the municipal court under the provisions of the Municipal and Justice Court Act of 1949, shall receive credit for continuous prior service in superseded courts and in the sheriffs' department or constabulary of the county and shall receive, in addition to the minimum rates, the annual increments commensurate with such years of prior service up to the maximum rate set"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716, 771 and 773 of said code, and to repeal Sections 715, 772 and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1951, strike out "and 715.2", and insert ", 715.2 and 715.3".

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 3. Section 715.3 is added to the Civil Code to read

715.3. No trust heretofore or hereafter created forming part of a retirement system established pursuant to the laws of California authorizing such systems shall be deemed invalid as violating Sections 715.1 or 715.2 of this code; and the income arising from such property, real or personal, held in such trust may be permitted to accumulate until the fund is sufficient, in the opinion of the trustee or trustees thereof, to accomplish the purposes of the trust."

Amendment No. 3

On page 2, line 1, of said bill, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 4

On page 2, line 14, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 21, of said bill, strike out "SEC. 5", and insert "SEC. 6".

Amendment No. 6

On page 2, line 32, of said bill, strike out "SEC. 6", and insert "SEC. 7".

Amendment No. 7

On page 2, line 34, of said bill, strike out "SEC. 7", and insert "SEC. 8".

Amendment No. 8

On page 2 of said bill, strike out lines 41 to 48, inclusive, and insert "ing of this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4, line 37, of the printed bill, as amended in the Assembly on May 24, 1951, after "policy", insert ", *other than a specified indemnity for dismemberment*,".

Amendment No. 2

On page 5, line 7, of said bill, before "benefit", insert "*the*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2501—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "six"; and strike out all of lines 6 to 10, inclusive, and insert "one hundred fifty ($150) in each of three calendar quarters of his base period."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 6, of the printed bill, after "rehearing", insert "or reconsideration".

Amendment No. 2

On page 1, line 7, of the printed bill, after "commission", insert "upon a petition to reopen".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "three million dollars ($3,000,000)", and insert "one million five hundred thousand dollars ($1,500,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 426—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to boarding homes, to make costs for boarding home inspection payable on a fiscal year basis.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, after line 32, insert
"SEC. 3. This act shall take effect July 1, 1952."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2268—An act to add Section 1225 to the Government Code, relating to the deposit of public funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1225 to", and insert "amend Section 53601 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "deposit", and insert "investment".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, and insert
"SECTION 1. Section 53601 of the Government Code is amended to read:
53601. The legislative body of a local agency having money in a sinking fund of, or surplus money in, its treasury not required for the immediate necessities of the local agency may invest such portion of the money as it deems wise or expedient in:
(a) Bonds issued by it.
(b) United States Treasury notes or bonds or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
(c) Treasury notes or bonds of this State or of any local agency within this State.
(d) Registered state warrants.
(e) Investment certificates and withdrawable shares (but not guarantee stock) issued by building and loan associations organized under the laws of this State and shares and share accounts issued by Federal savings and loan associations doing business in this State; provided that such associations are 'insured institutions' as defined in Title IV of the National Housing Act and that the investment by any one local agency in any one association shall not exceed the amount which is insured by the Federal Savings and Loan Insurance Corporation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 1717—An act to amend Section 51b of the Public Utility District Act, relating to the annexation of territory to public utility districts declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 364—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Bill read second time, and ordered to third reading.

Senate Bill No. 539—An act to amend Section 11699 of the Insurance Code, relating to the business of workmen's compensation insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Senate on April 27, 1951, strike out "January", and insert "September"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 2000 to the Government Code and Section 349.5 to the Code on Civil Procedure, relating to actions against governmental agencies."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "2003", and insert "2000".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "2003", and insert "2000".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "thereof", and insert "acting within the course and scope of his employment".

Amendment No. 5

On page 1 of the printed bill, after line 9, insert

"SEC. 2. Section 349.5 is added to the Code of Civil Procedure, to read:

349.5. Notwithstanding anything to the contrary elsewhere in the law, whenever a claim arises out of the alleged negligence of an employee of any governmental agency in the operation of any public conveyance or vehicle, except an authorized emergency vehicle as defined in Section 44 of the Vehicle Code, the time for filing any action against the governmental agency is the same as that permitted for filing a similar action against a private person which period shall start to run from the date the cause of action arose, irrespective of the time the claim in respect thereto is filed or presented as a condition to bringing the suit or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1204—An act to amend Sections 3211.9, 3211.92, 3211.93, 3352.94, 4363, of, and to renumber the chapter heading of Chapter 10.5 of Division 4, Part 1 of, and to repeal Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, 3352 5, 4301, 4302, 4303, 4304, 4305, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4366, and 4367 of the Labor Code, relating to the furnishing of workmen's compensation benefits to volunteer disaster service workers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Senate on May 22, 1951, strike out "4334,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "means", and insert "includes".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Silliman asked for, and was granted, unanimous consent that a letter of transmittal to the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

HONORABLE SAM L. COLLINS,
Speaker of the Assembly,
California Legislature, Sacramento, California.

DEAR SIR. Pursuant to House Resolution 212 of the 1949 Regular Session of the Legislature, House Resolution 27, 1950 Regular Session, House Resolution 31, 1950 First Extraordinary Session and House Resolution 28, 1950 Third Extra Session, your standing committee submits herewith a report which summarizes the voluminous material which was presented to this committee by Charles M. Weber, retired Chairman of the Interim Committee on Conservation, Planning, and Public Works.

As the funds of the interim committee had been depleted it was the unanimous feeling of the standing committee that House Resolution 139 be introduced requesting the Legislature to augment previous appropriations of the interim committee in the sum of $1,500. This augmentation to provide funds for the printing of 3,000 copies of this summary report and provide for liquidation of other incurred obligations of the interim committee. This resolution was passed May 10, 1951.

This committee is fully aware that the data submitted by the former chairman of the interim committee represents a considerable amount of work and that much valuable information is contained therein. To have the full report printed, at this time, would, however, cost over $7,000. As no recommendations were made in the report, nor specific

legislation recommended it was the unanimous feeling of this committee that the interim committee report to the Legislature be limited to this summary report.

Respectfully submitted.

GEORGE A. CLARKE
WILLIAM W. HANSEN
LLOYD W. LOWREY
LESTER A. MCMILLAN
HARLAN HAGEN
L. H. LINCOLN
FRANK LUCKEL
FRANCIS C. LINDSAY
JAMES W. SILLIMAN, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT 3,000 COPIES OF REPORT BE DISTRIBUTED

Mr. Silliman announced that the above mentioned report has been printed as a separate document by the above mentioned committee, and asked for, and was granted, unanimous consent that 3,000 copies be distributed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 144—An act to add Section 226.5 to the Elections Code, relating to affidavits of registration.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 144?

Amendment No. 1

On page 1, line 5, of the printed bill, after "clerk", insert ", when notified in writing of such change either by the voter or by the public agency authorizing such change,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 144 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 144 ordered enrolled.

Assembly Bill No. 986—An act to add Section 459.6 to the Vehicle Code, relating to boundary line streets and highways and vehicles using the same.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 986?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on April 30, 1951, after "effective", insert "as to such portion".

Amendment No. 2

On page 1, line 19, of said bill, as amended, strike out "any", and insert "such".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 986 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 986 ordered enrolled.

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2095?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "eight hundred dollars ($800)", and insert "seven hundred seventy dollars ($770)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2095 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2095 ordered enrolled.

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2096?

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "fifty dollars ($850)", and insert "twenty-five dollars ($825)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2096 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott,

Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2096 ordered enrolled.

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2097?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "seven hundred dollars ($700)", and insert "six hundred sixty dollars ($660)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2097 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2097 ordered enrolled.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Elliott to withdraw Assembly Bill No. 2251 from committee was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 3279—An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 3279 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—64.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, and to add Sections 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1145?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "Sections 26518.5, 26530", and insert "Section 26518.5".

Amendment No. 2

On page 2, line 16, of said bill, as amended, strike out "derived from fresh beef".

Amendment No. 3

On page 2, line 40, of said bill, as amended, after "establishment", insert "while open for business or in operation,".

Amendment No. 4

On page 2, line 42, of said bill, as amended, after "held", insert "contrary to law".

Amendment No. 5

On page 2 of said bill, as amended, strike out all of lines 43, 44, and 45, and insert "used or suspected of being used contrary to law to transport or hold such food."

Amendment No. 6

In lines 4, 5, 6, and 7 of the title of the printed bill, as amended in the Senate on May 23, 1951, strike out "records of food manufacture, and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.", and insert "prescribing duties of local food inspection agencies."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1145 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr Speaker—64.
NOES—None

Assembly Bill No. 1145 ordered enrolled.

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280 1, 28282.5, 28292, and 28299 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1147?

Amendment No. 1

On page 1, line 5 of the title of the printed bill, as amended, strike out "and packaging of and return of bakery products.", and insert "and defining "food processing" establishments."

Amendment No. 2

On page 3, lines 6 and 7, of said bill, as amended, strike out "except restaurants,".

Amendment No. 3

On page 3, line 11, of said bill, as amended, strike out the period, and insert "except restaurants."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1147 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1147 ordered enrolled.

Assembly Bill No. 1278—An act to amend Sections 19533, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, to add Section 19533.3 to, and repeal Section 19533.1 of, the Government Code, relating to layoff or demotion in the state civil service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1278?

Amendment No. 1

On page 3, line 8 of the printed bill, as amended in the Assembly on April 23, 1951, strike out "within that one year"; and strike out all of lines 9 to 13, inclusive, and insert "more than the one year has elapsed, he shall receive such credit if he had no intervening employment other than seasonal or temporary work."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1278 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1278 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 313—An act to amend Sections 1, 3 and 14½ of the County Waterworks District Act, and to add Sections 6.1 and 2.1 thereto, relating to county waterworks districts;

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities;

Assembly Bill No. 554—An act to amend Section 21002 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 643—An act to amend Section 92 of the Labor Code, relating to the powers of the Labor Commissioner;

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment;

Assembly Bill No. 707—An act to add Section 1.6 to the Judges' Retirement Act, relating to retirement of judges for service;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 982—An act to add Sections 34303.5 and 35002 to, and to amend Sections 35101 and 35301 of the Government Code, relating to cities;

Assembly Bill No. 1054—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1315—An act to amend and renumber Section 25561 of the Government Code added to said code by an act entitled "An act to add Section 4041.5a to the Political Code and Section 25561 to the Government Code, relating to the power of the board of supervisors to provide operas and other entertainment," approved July 10, 1947, relating to powers of boards of supervisors;

Assembly Bill No. 1605—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities;

Assembly Bill No. 1856—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways;

Assembly Bill No. 1982—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel;

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2280—An act to amend Section 28141 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the forty-first class;

Assembly Bill No. 2575—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts;

Assembly Bill No. 2923—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate as such in this State subject to

regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith; and adding Chapter 7, comprising Sections 5101 to 5319, inclusive, to Division 2 of the Public Utilities Code; all relating to household goods carriers;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3037—An act to repeal Article 2 of Chapter 5 of Division 5 of the Agricultural Code, relating to cottonseed certification;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 73
Assembly Concurrent Resolution No. 74
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 76

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No. 85

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 77
Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 79
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No 82

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 827
Assembly Bill No. 1980
Assembly Bill No. 2611
Assembly Bill No. 3109
Assembly Bill No. 3321

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 293

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-refered to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1453

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2355

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 295
Assembly Bill No. 2545

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 100

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 810

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 155
Assembly Bill No. 191
Assembly Bill No. 494
Assembly Bill No. 193
Assembly Bill No. 2435

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 73
Assembly Concurrent Resolution No. 74
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 76
Assembly Concurrent Resolution No. 77
Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 79
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 82
Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No. 85

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2484—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Elliott, Fleury, Gaffney, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Rumford, Shaw, Sherwin, Thomas, and Tomlinson—42

NOES—Beck, Burke, Cloyed, Evans, Geddes, Grant, Luckel, McGee, Munnell, Niehouse, Rosenthal, Smith, Stewart, and Waters—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 11, of the printed bill as amended in the Assembly on May 24, 1951, after "year", insert "or until October 1, 1953 whichever is later".

Amendment No. 2

On page 1, line 19, of said bill, after the period, insert "The provisions of this section shall terminate on October 1, 1953."

Amendments read.

Roll Call Demanded

Messrs. Gubser, Moss, and Rumford demanded a roll call.

The roll was called, and the amendments offered by Mr. Gubser to Assembly Bill No. 1534 adopted by the following vote:

AYES—Belotti, Brown, Coats, Collier, Condon, Conrad, Cooke, Davis, Dills, Elliott, Fleury, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kirkwood, Klocksiem, Lindsay, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—37

NOES—Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Connolly, Dolwig, Gaffney, Grant, Holibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Niehouse, Rumford, Smith, Stewart, and Mr. Speaker—24

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3321—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—50.

NOES—Geddes, Luckel, and Morris—3

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR SPEAKER Your Committee on Public Health, to which were referred:

Assembly Bill No. 52
Assembly Bill No. 2336

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER. Your Committee on Public Health, to which was referred

Assembly Bill No. 2894

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred Assembly Bill No. 951

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2905 HOLD PLACE ON FILE

Mr. Cooke, for Mr. George D. Collins, asked for, and was granted, unanimous consent that Assembly Bill No. 2905 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 302 HOLD PLACE ON FILE

Mr. Clarke, for Mr. Lyon, asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2571—An act to amend Sections 13204.1, and 14495.1 of the Education Code, relating to certificated employees in military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 827 Hold Place on File

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 827 be passed on file, and hold its place on file on the next legislative day.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1980, on motion of Mr. Dolwig.

Assembly Bill No. 991—An act to add Section 10494.6 of the Insurance Code, relating to disability insurance.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "exists", and insert "exist".

Amendment No. 2

On page 2, line 21, of said bill, strike out "commission", and insert "commissioner".

Amendment No. 3

On page 2, line 22, of said bill, strike out "regulation", and insert "regulations".

Amendment No. 4

On page 2, line 25, of said bill, strike out "twenty-five thousand dollars ($25,000)," and insert "fifty percent (50%) of an estimated annual premium for the supplemental benefits, based on standard manual rates for such coverage,"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1957—An act to add Section 10180 to the Insurance Code, relating to group life and disability insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That House Resolution No. 164 Hold Place on File

Mr. Porter asked for, and was granted, unanimous consent that House Resolution No. 164 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 66—Relative to the declaration of August 16, 1951, as Loyal Order of Moose Day in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 39—Relative to the naturalization of alien members of the Armed Forces.

Resolution read.

Request for Unanimous Consent That Assembly Joint Resolution No. 39 Be Re-referred to Committee

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Joint Resolution No. 39 be withdrawn from file, and be re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 971

Mr. Babbage asked for, and was granted, unanimous consent to take up Assembly Bill No. 971, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 971

Assembly Bill No. 971—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 149

By Mr. Hagen:

House Resolution No. 149

Relative to congratulating Jimmy Coe upon being the Champion Speller of the Central Valleys

WHEREAS, It has come to the attention of this Assembly that James Q. (Jimmy) Coe has recently proven himself the Champion Speller of the Central Valleys; and

WHEREAS, Jimmy is a 13 year old boy residing in Hanford, Kings County, California, and attends the eighth grade at Pioneer Union Elementary School in Hanford; and

WHEREAS, Jimmy earned the title of Champion Speller on May 12th in the finals of the Central Valleys Spelling Bee sponsored by the McClatchy newspapers and radio stations; and

WHEREAS, This Assembly, on behalf of the State of California, is remarkably proud of Jimmy and his fine art of orthography by which he overcame 23 other county champions to earn his title; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend the heartiest congratulations to Jimmy Coe on his achievement in earning the title of Champion Speller of the Central Valleys; and be it further

Resolved, That the Assembly also extends its heartiest congratulations to Maxine Showalter of Fresno who placed second in the spelling bee, and to Ronald

Zimmerman of Exeter who placed third, and to each of the other 21 county champions whose fine spirit of competition so exemplifies the American Way of life and ideals of democratic philosophies; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Master James Q Coe, Route 1, Box 648-E, Hanford; Miss Maxine Showalter, 547 Ferger Avenue, Fresno; and Master Ronald Zimmerman, Route 2, Box 838, Exeter, as tokens of recognition of their accomplishments.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of May 21, 1951, on page 4550, in the first line of the fourth "Whereas" clause, strike out "remarkably", and insert "exceedingly".

Amendment read, and adopted.

Consideration of House Resolution No. 149, as Amended

By Mr. Hagen:

House Resolution No. 149

Relative to congratulating Jimmy Coe upon being the Champion Speller of the Central Valleys

WHEREAS, It has come to the attention of this Assembly that James Q. (Jimmy) Coe has recently proven himself the Champion Speller of the Central Valleys; and

WHEREAS, Jimmy is a 13 year old boy residing in Hanford, Kings County, California, and attends the eighth grade at Pioneer Union Elementary School in Hanford; and

WHEREAS, Jimmy earned the title of Champion Speller on May 12th in the finals of the Central Valleys Spelling Bee sponsored by the McClatchy newspapers and radio stations; and

WHEREAS, This Assembly, on behalf of the State of California, is exceedingly proud of Jimmy and his fine art of orthography by which he overcame 23 other county champions to earn his title, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend the heartiest congratulations to Jimmy Coe on his achievement in earning the title of Champion Speller of the Central Valleys; and be it further

Resolved, That the Assembly also extends its heartiest congratulations to Maxine Showalter of Fresno who placed second in the spelling bee, and to Ronald Zimmerman of Exeter who placed third, and to each of the other 21 county champions whose fine spirit of competition so exemplifies the American way of life and ideals of democratic philosophies; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Master James Q. Coe, Route 1, Box 648-E, Hanford; Miss Maxine Showalter, 547 Ferger Avenue, Fresno; and Master Ronald Zimmerman, Route 2, Box 838, Exeter, as tokens of recognition of their accomplishments.

Resolution read, as amended, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1642—An act to add Section 217.1 to the Motor Vehicle Code, relating to foreign vehicles.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "For the purposes of this section no violation of Division 11 shall be deemed to have occurred unless the weight limitation there provided has been exceeded by more than 4,000 pounds."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "21263 to", and insert "21264 to, and to amend Sections 20607, 20607.5, 21250, and 21330 of,".

Amendment No. 2

In line 2 of the title of said bill, strike out "retirement allowances of", and insert "benefits in respect to".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 21264 is added to the Government Code, to read:

21264. Upon the death of a local safety member after the effective date of this section and after retirement for service or for industrial disability, including such members heretofore and hereafter retired, one-half his retirement allowance as it was at his death, excluding the portion of said allowance derived from accumulated additional contributions of the member shall be continued throughout life or until remarriage, to his surviving wife If there be no surviving wife entitled to an allowance hereunder, or if she die or remarry before every child of such deceased member attains the age of 18 years, then the allowance which the surviving wife would have received had she lived and not remarried shall be paid to his child or children under said age, collectively, to continue until every such child dies or attains said age; provided, that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving wife and no children under the age of 18 years, but leave a parent or parents dependent upon him for support, the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving wife otherwise would have received, during such dependency No allowance, however, shall be paid under this section to a surviving wife unless she was married to the member at least one year prior to his retirement. If at the effective date of said retirement, said member has no wife, children or dependent parents, who would so qualify and if said member elects as provided in Section 21330 to have the actuarial equivalent of his retirement allowance applied to a lesser retirement allowance in accordance with an optional settlement, no allowance shall be paid under this Section 21264."

Amendment No. 4

On page 1 of said bill, after line 14, insert

"SEC. 2 Section 20607 of said code is amended to read:

20607. For each local safety member who became such a member of this system, or, if entitled to credit for prior service, who entered fire, police, or county peace officer service at or below age 45, as computed under Section 20606, the normal rate of contribution shall be such as, on the average, will provide a service retirement annuity *(excluding continuance thereof under Section 21264 to the member's surviving wife, children, or dependent parents)* at the minimum age at which retirement for service is permitted or upon completion of 20 years of service at an age higher than the minimum which, with one-half of his prior service pension, if any (assumed for this purpose to be based on the full prior service formula applicable to his classification), will equal one-fourth of his final compensation.

SEC. 3 Section 20607.5 of said code is amended to read:

20607.5. For each local safety member who became such a member of this system, or, if entitled to credit for prior service, who entered fire, police, or county peace officer service at or below age 45 the normal rate of contribution shall be such as will provide, on the average, a service retirement annuity *(excluding continuance thereof under Section 21264 to the member's surviving wife, children, or dependent parents)* at age 55, or upon completion of 20 years of service at an age higher than 55 years, equal to one-fourth of his final compensation less one-half of his prior service pension (assumed for this purpose to be based on the full prior service formula applicable to his classification), it being the intention that the retirement allowances of such members, upon retirement at age 55 or such higher age, shall be, on the average, one-half of their final compensations, respectively.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the

case of contracts made after the date this section takes effect by express provision in such contract making the contracting agency subject to the provisions of this section

Whenever this section becomes applicable to the employees of any contracting agency, as to those members to whom it applies it shall supersede the provisions of Section 20607.

SEC. 4. Section 21250 of said code is amended to read:

21250 Upon retirement for service, a member is entitled to receive a service retirement allowance which shall consist of.

(a) His service retirement annuity, including, with respect to patrol members *and local safety members to whom Section 21264 applies* and solely in respect to the portion of said annuity derived from the normal accumulated contributions of such members, respectively, automatic continuance to surviving wife and children as provided in this article.

(b) His current service pension.

(c) His prior service pension.

SEC. 5. Section 21330 of said code is amended to read:

21330. In lieu of the retirement allowance for his life alone, a member or retired member may elect, or revoke or change a previous election prior to the approval of the previous election, to have the actuarial equivalent of his retirement allowance as of the date of retirement applied to a lesser retirement allowance, in accordance with one of the optional settlements specified in this article. Said election or revocation or change thereof, with respect to patrol members *and local safety members to whom Section 21264 applies*, shall apply to all of the retirement allowance, if, at the effective date of retirement for service or for industrial disability, said member has no wife, children or dependent parents who would qualify for continuance of the allowance after the death of said member; or, if at retirement said member has a wife, children or dependent parents who would so qualify, then said election, or revocation, or change thereof shall apply only to the portion of the allowance which would not be continued after the member's death regardless of dependents."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 2689 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2689 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1985 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No 1985 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 928

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 928, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 928

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of the Insurance Code, relating to the regulation of workmen's compensation insurance, rating and other organizations.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 23, 1951, strike out "requiring and regulating permitting", and insert "regulating".

Amendment No. 2

On page 9, line 41, of said bill, after "code", strike out "or of any provision", and insert "or of any word, phrase, or provision".

Amendment No. 3

On page 10 of said bill, strike out lines 12, 13, 14, 15, 16, and 17, and insert "issued or approved by the commissioner shall be binding upon insurers to the same extent as are the classifications and rates issued or approved for workmen's compensation insurance."

Amendments read, and adopted:

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 233, on motion of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2573 HOLD PLACE ON FILE

Mr. McFall asked for, and was granted, unanimous consent that Assembly Bill No. 2573 be passed on file, and hold its place on file on the next legislative day.

MEMBER EXCUSED

At 11.26 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 71, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 71

Assembly Concurrent Resolution No. 71—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 72, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 72

Assembly Concurrent Resolution No. 72—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 73, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 73

Assembly Concurrent Resolution No. 73—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 74, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 74

Assembly Concurrent Resolution No. 74—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 75, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 75

Assembly Concurrent Resolution No. 75—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 76, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 76

Assembly Concurrent Resolution No. 76—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 77, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 77

Assembly Concurrent Resolution No. 77—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 78, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 78

Assembly Concurrent Resolution No. 78—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke Dickey, Dills, Erwin, Fleury Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 79, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 79

Assembly Concurrent Resolution No. 79—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 80, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 80

Assembly Concurrent Resolution No. 80—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 81, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 81

Assembly Concurrent Resolution No. 81—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 82, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 82

Assembly Concurrent Resolution No. 82—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 83, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 83

Assembly Concurrent Resolution No. 83—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 84, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 84

Assembly Concurrent Resolution No. 84—Approving a certain amendment to the charter of the City of Burbank, State of California,

ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 85, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 85

Assembly Concurrent Resolution No. 85—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 165

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Bill No. 165, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 165

Senate Bill No. 165—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—53.

NOES—Geddes and Luckel—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1062—An act to amend Sections 16305, 16322, 16349, 16350, 16390, 16391, 16392, 16430, and 16451 of the Business and Professions Code, and to add Sections 16304.1 and 16320.1 thereto, relating to itinerant merchants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—Condon—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 58—An act to add Section 1593.4 to the Education Code, relating to the formation, annexation, and change of boundaries of school districts declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An act to add Section 20372.5 to the Education Code, relating to separation from service of state college employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 644—An act to amend Sections 12130.1 and 12131.2 of the Education Code, relating to the standards for provisional credentials authorizing service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 942—An act to amend Section 7431.1 of, and to add Section 7431.2 to, the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1077—An act to amend Section 13093 of the Education Code, relating to the Public School System of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 626—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 242

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 242, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 242

Senate Bill No. 242—An act to add Section 12108 to, and to amend Section 12501 of, the Business and Professions Code, relating to sealers and weighing or measuring instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 28—An act to add Sections 14152, 14152.1, 14152.2, 14152.3, 14152.4, 14153, 14153.1, 14154, 14154.1, 14155, and 14156 to, and repeal Sections 14152, 14153, 14154, 14155, and 14156 of the Health and Safety Code, relating to fire protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1065—An act to amend Section 28113 of the Government Code and Section 413 of the Education Code, relating to compensation for public service in counties of the thirteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1212—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 79—Relative to the death of Herbert C. Moffitt, Sr.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate.

EXPLANATIONS OF ABSENCE

Messrs. Dunn, Parker, and Erwin announced that their absences from the Assembly Chamber this morning for periods between 10 a.m. and 11.50 a.m., were for the purpose of appearing before the Senate Finance Committee, and requested that note be made in the Journal of this explanation for absences.

EXPLANATION OF ABSENCE BY MR. CROWLEY

May 30, 1951

My absence from the Assembly Chamber this morning was due to attendance before Senate committees.

ERNEST C. CROWLEY

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 251 FROM THE SENATE

Mr. Geddes asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 251 for further consideration.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Conrad:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

Respectfully submitted

CHARLES J. CONRAD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Conrad:

An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3447: By Mr. Conrad—An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

Referred to Committee on Boards and Commissions.

APPOINTMENT TO JOINT INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Cloyed as a member of the Joint Interim Committee on Water Problems, vice Mr. Stanley, resigned.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 743
Assembly Bill No. 2719
Assembly Bill No. 2776
Assembly Bill No. 2816

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 731
Senate Bill No. 820

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 68

Mr. Meyers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 68, temporarily passed on file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 68

Assembly Concurrent Resolution No. 68—Relative to requesting proclamation designating September 17, 1951, as "Steuben Day."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dunn to reconsider the vote whereby Assembly Bill No. 1715 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to unemployment insurance, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 29, 1951

Honorable Robert L. Condon
Assembly Chamber

UNEMPLOYMENT INSURANCE—No. 9073

DEAR MR CONDON: With respect to Assembly Bill No. 1715, as amended in Assembly May 23, 1951, you have asked the following questions:

Questions

1. What is the extent of the term "marital or domestic duties" as it appears in the bill?

2. Are disability insurance benefits included within the provisions of the bill?

Opinion

1. The term "marital or domestic duties" would cover any duty growing out of a marital or family relationship. It is impossible to predict in advance all situations the term would cover.

2. It is probable that disability insurance benefits would fall within the provisions of the bill.

Analysis

Assembly Bill No. 1715, as amended in Assembly May 23, 1951, would add Section 58.1 to the Unemployment Insurance Act to read as follows:

> "Sec. 58.1. Notwithstanding any other provision of this act, a female employee who leaves her employment to be married or to accompany her husband to or join him at a place from which it is impractical to commute to such employment or whose marital or domestic duties cause her to resign from her employment shall not be eligible for unemployment insurance benefits until she has earned wages of one hundred dollars ($100) in an employment occurring subsequent to employment which she left for such reason; provided that, the foregoing provision of this section shall not apply after a change in conditions whereby she has become the main support of herself or her immediate family."

While the term "marital or domestic duties" does not lend itself to exact definition it is a term which has been frequently used by the Department of Employment in administering the act and by the Unemployment Insurance Appeals Board in its decisions on appeals arising under the act.

Thus, in the C C H Unemployment Insurance Service (Volume 2, page 8152) a summary of the Appeals Board's interpretation of benefit provisions of the act reads as follows:

> "Where a claimant, because of domestic responsibilities, household duies, care of children, parents, relatives, or illness in the family, is presently prevented from accepting suitable employment, the claimant is not available for work."

Similarly, in discussing what constitutes good cause for voluntary quitting of work, it is stated (C C H Volume 2, page 8185):

> "A claimant has good cause for voluntarily leaving his work in order to meet family responsibilities.
>
> It is well established in California and other jurisdictions that the voluntary leaving provision is not to be construed so as to penalize a claimant who is trying to meet important family responsibilities. It therefore becomes necessary to examine cases on this issue to ascertain whether such responsibility could have been satisfactorily met if the person had remained at work. When leaving occurs to care for children, for illness in the family, for lack of housing or for other family duties, investigation must determine what efforts were made to discharge family responsibility without the necessity of leaving work."

The above quotations are, we believe, illustrative of the situations which would fall within the scope of the phrase "marital or domestic duties."

With respect to your second question, it should be noted that the bill uses the phrase "shall not be eligible for unemployment insurance benefits." That phrase is sufficiently broad, we believe, to cover any benefit provided for under the Unemployment Insurance Act, which would include disability benefits.

Further, Section 151 of the act specifically provides that the provisions and definitions of Articles 1 to 9, inclusive, (i. e., the provisions dealing with unemployment insurance generally) are applicable to the article on disability benefits, with certain exceptions. None of the provisions disqualifying persons from receipt of unemployment compensation benefits are listed among these exceptions and all of such disqualification provisions apply equally to claims for unemployment compensation benefits and claims for unemployment compensation disability benefits.

Section 151 will operate, therefore, to make the provisions of the bill in question applicable to both unemployment compensation benefits and unemployment compensation disability benefits.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By A. C. MORRISON, Deputy

Two copies to
Honorable Harold K. Levering,
pursuant to Joint Rule 34

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly, in recognition of Memorial Day, gave the pledge of allegiance to the Flag.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2936 WAIVED

Mr. Henderson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2936 was passed

Assembly Bill No. 2936 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1883

Mr. McMillan asked for, and was granted, unanimous consent to take up Assembly Bill No. 1883, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1883

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in the Assembly on May 21, 1951, and insert

"An act to amend Sections 8354 and 8355, and to repeal Section 8352, of, and to add Section 8352, to, the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Section 8352 of the Revenue and Taxation Code is repealed.

SEC. 2. Section 8352 is added to said code to read:

8352. The money in the Motor Vehicle Fuel Fund is hereby appropriated, subject to the provisions of any budget bill heretofore or hereafter enacted and Section 11006 of the Government Code, as follows:

(a) To pay the refunds authorized in this part, including refunds due on account of judgments for the return of license taxes illegally collected.

(b) To the Controller, to carry out any duties imposed upon him by this part.

(c) To the board, to carry out any duties imposed upon it by this part

(d) To the Highway Users Tax Fund, as provided in this chapter.

(e) To pay the pro rata share of the overhead and general administrative expense of the Controller and the board attributable to duties imposed by this part The pro rata share is payable upon presentation of a claim against any appropriation from the Motor Vehicle Fuel Fund for the support of the Controller or the board, as the case may be.

(f) To the Airport Fund, as provided in this chapter. Payments pursuant to this subdivision shall be made prior to payments made pursuant to subdivision (d).

SEC. 3. Section 8354 of the Revenue and Taxation".

Amendment No. 3

On page 1 of said bill, strike out line 7; and in line 8, strike out "air", and insert "is usable or intended for use in propelling aircraft and is commonly branded as aviation fuel".

Amendment No. 4

On page 1, line 11, of said bill, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 5

On page 1, lines 12 and 13, of said bill, strike out "apportion pursuant to Section 8357", and insert "transfer from the Motor Vehicle Fuel Fund to the Airport Fund"

Amendment No. 6

On page 1, line 14, of said bill, after "penalties", insert "on aviation fuel".

Amendment No. 7

On page 1 of said bill, strike out line 17, and insert "8352 on fuel used in the propulsion of aircraft, and".

Amendment No. 8

On page 2 of said bill, strike out lines 2 and 3, and insert

"(e) of Section 8352 in connection with the administration and enforcement of such taxes and refunds on aviation fuel."

Amendment No. 9

On page 2 of said bill, strike out lines 4 to 32, inclusive; and on page 3, strike out lines 1 to 10, inclusive, and insert

"SEC. 5. The Airport Fund is created in the State Treasury. All monies paid into said fund are set aside for expenditure for airport purposes when hereafter appropriated for such use.

SEC. 6 Sections 8356 and 8357 of the Revenue and Taxation Code shall become nonoperative upon the effective date of this act and shall remain nonoperative for a period not to exceed the first day of the calendar year following the ninety-first day after the adjournment of the 1955 Regular Session of the Legislature. If the Legislature fails during such period to enact, and the Governor to approve, a formula for the allocation of moneys in the Airport Fund Sections 8356 and 8357 of the Revenue and Taxation Code shall become operative and all of the provisions of this act shall cease to be effective.

SEC. 7. Section 8 of the act cited in the title hereof is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTIONS TO AMEND STANDING HOUSE RULES NOS. 9, 8, AND 10 GIVEN

Mr. Fleury gave notice of motions to amend Standing House Rules Nos. 9, 8, and 10 and, by unanimous consent, his notice of motions and proposed amendments were ordered printed in the Journal, in 10 point type, as follows:

Notice of Motion to Amend the Standing Rules of the Assembly by Mr. Fleury

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on May 31, 1951, I will make a motion with respect to Rule No. 9 of the Standing Rules of the Assembly as follows:

I hereby move that Rule No. 9 of the Standing Rules be repealed.

Notice of Motion to Amend the Standing Rules of the Assembly by Mr. Fleury

Notice is hereby given, pursuant to Standing Rule No. 5, that on the following legislative day, to wit, on May 31, 1951, I will make a motion with respect to Rules No. 8 and 10 of the Standing Rules of the Assembly as follows:

I hereby move that Rules 8 and 10 of the Standing Rules be amended to read:

8. ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A. Legislature:~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~. *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the Democratic Party and three of whom shall be members of the Republican Party. The chairman of each party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to*

serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To appoint the membership, except that of the Committee on Rules, of all standing, special and interim committees, and their respective chairmen and vice chairmen.

To propose a schedule of meetings of standing committees.

To check all Assembly bills and House resolutions prior to introduction and all Senate bills before reference to committee and to designate the committees to which they shall be referred.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

Wherever in Assembly Standing Rules authority is conferred upon the Speaker to appoint committee members or to refer matters to a committee, the word "Speaker" shall hereafter mean "Committee on Rules."

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. The committee shall have authority to fill vacancies in any Assembly committee, except those in the Committee on Rules, or to fill vacancies in the Assembly membership of any joint committee. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

~~To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.~~

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the ~~Speaker~~ *Committee on Rules* shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the ~~Speaker~~ *Committee on Rules* thereafter shall determine the number and members to serve on each standing committee , *except the Committee on Rules which is hereinabove provided for* . Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the ~~Speaker~~ *Committee on Rules* or the approval of the House a member may serve on four committees.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

(c) This rule as amended shall become operative on June 20, 1951. As used herein, "operative date" means June 20, 1951.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

~~(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.~~

~~(f) To propose a schedule of meetings of standing committees.~~

~~(g)~~ *(e)* To have general control and direction over the Journals, papers, and bills of the Assembly.

~~(h)~~ *(f)* To act as Chairman of the Committee of the Whole.

~~(i)~~ *(g)* To order the Lobby and Gallery cleared whenever he shall deem it necessary.

~~(j)~~ *(h)* To assign desks to properly accredited newspaper representatives.

~~(k)~~ *(i)* To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

~~(l)~~ *(j)*. The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(k) The provisions of subdivision (j) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(l) This rule as amended shall become operative on June 20, 1951.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 671

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 671 re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1579
Assembly Bill No. 2252

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 290
Assembly Bill No. 2895

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 954
Senate Bill No. 1634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 735

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3184.

At 8 p.m.—

Constitutional Amendments, in Room 3184.
Education, in Room 432.
Municipal and County Government, in Room 2170.

Tomorrow, Thursday, May 31st, at 9 30 a.m.—

Rules, in Room 3184.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Earl Popovich, of San Francisco.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Cecil Hardesty of San Diego.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Judge Albert Wallenberg and Mrs. Wallenberg and Judge Alvin Weinberger, Mrs. Weinberger, and son, of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Lieut. Albert Depetris and Lieut. Richard Bund, U. S. Army Air Force, of San Francisco.

ADJOURNMENT

At 12.03 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m , Thursday, May 31, 1951, out of respect to the memory of the late Herbert C. Moffitt, Sr.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY

NINETY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 31, 1951

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Creator and Ruler of Mankind, Of Whose righteous will all things were created, grant Thy presence for the deliberations of this day.

Bless this Country as we seek to defend our liberties and gain freedom for the peoples of the world as well.

Grant Thy protection to those who serve in the heat of conflict and speed the day of victory and peace.

Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace; and that, through obedience to Thy law we may show forth Thy praise among the Nations of the earth.

"Let the words of our mouths
And the meditations of our hearts
Be acceptable in Thy sight,
O Lord, our Strength and our Redeemer."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Morris.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Caldecott, on motion of Mr. Brown.

Mr. Smith, on motion of Mr. Lipscomb.

Mr. Chapel, by unanimous consent.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 781
Assembly Bill No. 1356
Assembly Bill No. 2501
Assembly Bill No. 3432

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 991
Assembly Bill No. 1418
Assembly Bill No. 1534
Assembly Bill No. 1642
Assembly Bill No. 1767
Assembly Bill No. 1883
Assembly Bill No. 2009
Assembly Bill No. 2217
Assembly Bill No. 2363

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 19
Assembly Bill No. 426
Assembly Bill No. 2268

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2727

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2727 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2268 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 19 and 426 re-referred to the Committee on Ways and Means.

Senate Bill No. 1204 re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 52—An act to amend Section 7420 of, and to add Section 7421 to the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2336—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2355—An act to add Section 635.1 and to amend Section 735.3 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "Section 735.3", and insert "Sections 735.3 and 736.11".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 13, inclusive, and insert

"635 1 Pasteurized concentrated milk is market milk which has been reduced to a semiliquid state by the removal of a portion of its water content by the aid of heat or combining concentrated skim milk and market cream so that the resulting product contains not less than 9.9 percent of milk fat and not less than 24 percent of milk solids not fat It shall otherwise meet and be subject to all the requirements and standards for market milk, except that it may be pasteurized before concentration but must be pasteurized after concentration, and except that it shall contain not more than 20,000 bacteria per gram Pasteurized concentrated milk shall be packaged in containers other than hermetically sealed containers.

Concentrated skim milk is skim milk derived from market milk which has been reduced to a semiliquid state by the removal of a portion of its water content by the aid of heat so that the resulting product contains not less than 24 percent of milk solids not fat."

Amendment No. 3

On page 1, line 18, of said bill, after "whole", insert "or concentrated".

Amendment No. 4

On page 3 of said bill, after line 31, insert

"SEC. 3 Section 736 11 of said code is amended to read.

736 11 The director shall, as soon as possible after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan for fluid milk or fluid cream is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing minimum wholesale and minimum retail prices for fluid milk, *including pasteurized concentrated milk*, or fluid cream

(a) Minimum wholesale prices, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream shall be sold by distributors to retail stores, restaurants, confectioneries and other places for consumption on the premises but

excluding, however, the prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores owned or operated by such distributor. Minimum wholesale prices, as used herein, includes prices at which fluid milk or fluid cream, or both, shall be sold by distributors to other distributors, other than in bulk, which prices may vary from the minimum prices established for sales by distributors to other wholesale customers

(b) Minimum retail prices herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors and retail stores to consumers.

At the time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices; provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of Section 736 12."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 676—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 23, 1951, after "of", insert "and to repeal Section 39 1 of and add a new Section 39.1 to".

Amendment No. 2

In lines 2 and 3 of the title of said bill, after "to" strike out "notices of benefit claims", and insert "unemployment insurance."

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive, and insert

"(b) A notice of the filing of a new or additional claim shall be given to the employing unit by which the claimant was last employed immediately preceding the filing of such claim."

Amendment No. 4

On page 1, line 16, of said bill, after "submit", insert "within 10 days after the mailing of such notice".

Amendment No. 5

On page 1, line 22, of said bill, after "employer", insert "who has submitted any facts or has given notice pursuant to subsection (c) and authorized regulations".

Amendment No. 6

On page 2, line 24, of said bill, after "employer", insert "submitting the facts".

Amendment No. 7

On page 2 of said bill, after line 39, insert

"SEC. 2. Section 39 1 of the Unemployment Insurance Act is hereby repealed effective December 31, 1951 as to new claims for unemployment compensation benefits filed after that date.

SEC 3 Section 39.1 of the Unemployment Insurance Act is added to read:

SEC. 39 1 Any employer who is entitled under Section 67 to receive notice of the filing of a new or additional claim or notice of computation may, within 10 days after mailing of such notice, submit to the department any facts within its possession disclosing whether the claimant left such employer's employ voluntarily and without good cause or was discharged from such employment for misconduct connected with his work. The department shall consider such facts together with any information in its possession and promptly issue to the employer its ruling as to the cause of the termination of the claimant's employment. Appeals may be taken from said rulings in the same manner as appeals from determinations on benefit claims

No ruling made under this section may constitute a basis for the disqualification of any claimant, provided, however, a determination by the department made under the provisions of subsection (d) of Section 67 of this act may constitute a ruling under this section

If it is ruled that the claimant left the employer's employ voluntarily and without good cause or was discharged by reason of misconduct connected with his work, benefits paid to the claimant which are based upon wages earned from such employer prior to the date of the termination of employment, shall not be charged to the account of such employer.

This section shall not apply to any employer with respect to any claim of a former employee with respect to whose separation he failed to furnish information within the time limit prescribed above after mailing of either a notice of the filing of a new or additional benefit claim or a notice of computation

The provisions of this section shall be applicable to new claims for unemployment compensation benefits filed on and after January 1, 1952. The provisions of Section 39.1 as it existed prior to repeal shall remain applicable to new claims for unemployment compensation benefits filed prior to the repeal of said section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 155—An act to amend Section 370 of the Elections Code, relating to printing of indices of registration.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 370", and insert "Sections 370 and 373".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 373 of said code is amended to read.

373. Upon demand of any *Member of the Legislature or* candidate who is to be voted for in the county, or in a city therein or in a political subdivision of either, or upon written demand of his campaign committee, or of any committee for or against any proposed ballot measure, the county clerk shall furnish to *such Member of the Legislature or to* either the candidate or his campaign committee or to the ballot measure committee no more than two copies of the printed indexes of the registration for the primary and general elections in which *such Member of the Legislature may participate as a candidate or in which* the candidate will participate, or the ballot measure will be voted upon, at a charge of fifty cents ($0.50) per thousand names. All moneys collected shall be deposited in the county treasury to the credit [of] of the general fund."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 191—An act to amend Section 2828 of the Elections Code, relating to removal of members of state and county central committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2828", and insert "Sections 2828 and 2842".

Amendment No. 2

In line 2 of the title of said bill, strike out "removal of members of".

Amendment No. 3

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 2842 of said code is amended to read:

2842 Each county central committee in a county containing 20 or more assembly districts shall meet in the courthouse at its county seat on the second Tuesday in July following the presidential primary in June, 1948, and on the second Tuesday in July every two years thereafter, *except that in any year in which a national political party shall have set the national convention of the party to include such date, the existing executive committee of the county central committee of that party shall set the date of the meeting, not to exceed 30 days after the date above specified. At such meeting such county central committee* [and] shall organize by selecting a chairman, a secretary, and such other officers and committees as it deems necessary for carrying on the campaign of the party. Every other county central committee shall meet in the courthouse at its county seat on the second Tuesday in July following the direct primary, and shall organize by selecting a chairman, a secretary and such other officers and committees as it deems necessary for carrying on the campaign of the party."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 3, 1951, after "matter", insert ", knowing it to be false or having no reasonable grounds for believing it to be true,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 193—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 481 to the Government Code", and insert "Sections 3819.5 and 3929.5 to the Elections Code".

Amendment No. 2

In line 3 of the title of said bill after "representatives", insert "and determination of incumbency in such districts".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 3819.5 is added to the Elections Code, to read:

3819.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of the congressional, senatorial, and assembly districts pursuant to Sections 6 and 27 of Article IV

of the California Constitution, that candidate who shall be deemed the incumbent in a given district for purposes of the election shall be:

(1) That candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical number as the district from which he was last elected and in which there was no other holder of the same office residing as of March 1, 1951.

(2) In the event there is no candidate to whom the provisions of subdivision (1) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical boundaries as the district from which he was last elected, but which has a different number and in which there was no other holder of the same office residing as of March 1, 1951.

(3) In the event there is no candidate to whom the provisions of subdivisions (1) or (2) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which contains some portion of the territory previously contained within the district from which he was last elected in which there was no other holder of the same office residing as of March 1, 1951; provided, that in a new district which contains portions of the territory of more than one former district the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district and the number of whose former district was the same as the number of the new district, or, in the event there is no such candidate, the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district.

If there is no candidate in a given district to which any of the above provisions apply, the incumbent shall be any person who is a candidate for the same office which he then holds who fulfills the residential requirements of law for candidacy within the district.

SEC 2. Section 3929.5 is added to said code to read:

3929.5 At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and Assembly district following Reapportionment Acts of the Legislature redefining the boundaries of the congressional, senatorial, and assembly districts pursuant to Sections 6 and 27 of Article IV of the California Constitution, that candidate who shall be deemed the incumbent in a given district for purposes of the election shall be:

(1) That candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical boundaries and number as the district from which he was last elected and in which there was no other holder of the same office residing as of March 1, 1951.

(2) In the event there is no candidate to whom the provisions of subdivision (1) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical boundaries as the district from which he was last elected, but which has a different number and in which there was no other holder of the same office residing as of March 1, 1951.

(3) In the event there is no candidate to whom the provisions of subdivisions (1) or (2) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which contains some portion of the territory previously contained within the district from which he was last elected in which there was no other holder of the same office residing as of March 1, 1951; provided, that in a new district which contains portions of the territory of more than one former district the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district and the number of whose former district was the same as the number of the new district, or, in the event there is no such candidate, the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district.

If there is no candidate in a given district to which any of the above provisions apply, the incumbent shall be any person who is a candidate for the same office which he then holds who fulfills the residential requirements of law for candidacy within the district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2435—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In the first line of the title of the printed bill, strike out "9050", and insert "10051.1".

Amendment No. 2

In the second line of the title of said bill, strike out "local, special, or consolidated", and insert "consolidation of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out all of lines 1 to 13, inclusive, and insert

"SECTION 1. Section 10051.1 of the Elections Code is amended to read:

10051.1 Whenever an election called by a district, city or other political subdivision is to be consolidated with a statewide election, such district, city or other political subdivision must at least sixty (60) days prior to the date of the election file with the board of supervisors a resolution of its governing board requesting such consolidation and setting forth the exact form of any [measure] *question* or proposition to be voted upon at such election, *as the same is to appear on the ballot.* [and a summary of such measure or proposition as such summary shall appear on the ballot. The summary printed] *Such question or proposition to appear* on the ballot shall not exceed 100 words in length.

SEC. 2. This act becomes effective only if Chapter 447 of the statutes passed at the 1951 Regular Session becomes effective, and in such case at the same time said Chapter 447 takes effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 290—An act to add Sections 9540.5, 9540.51, 9540.52, 9540.53, 9540.54, and 9540.55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "or agency thereof,".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "or agency thereof," and insert "dry cleaning agency,".

Amendment No. 3

On page 1, line 13, of said bill, strike out "or agency thereof,".

Amendment No. 4

On page 1, line 14, of said bill, strike out "or agency thereof," and insert "and".

Amendment No. 5

On page 1, line 15, of said bill, strike out the remainder of the line after the first comma; and strike out all of line 16, and line 17 to and including the comma.

Amendment No. 6

On page 1, line 20, of said bill, strike out "his", and insert "the".

Amendment No. 7

On page 1, line 23, of said bill, after "means", insert "dry cleaning".

Amendment No. 8

On page 2, line 8, of said bill, after "particular", insert "class of".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2895—An act to add Section 926a of the Health and Safety Code, relating to local health districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 20, of the printed bill, after "member", strike out "of", and insert "by".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on May 25, 1951, strike out ", United States Pharmacopoeia", and insert "U.S.P."

Amendment No. 2

On page 2, line 30, of said bill, strike out ", United States Pharmacopoeia", and insert "U.S.P."

Amendment No. 3

On page 2, line 37, of said bill, after "profession", strike out the period, and insert "; and a chiropractor acting within the scope of his license."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 25, 1951, strike out "and 29003 6", and insert ", 29003 6, 29015 and 29015 1".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 295—An act to add Section 626.5 to the Agricultural Code, relating to products prepared from goat milk

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 685 of,".

Amendment No. 2

In line 2 of the title of said bill, strike out "products prepared from goat".

Amendment No. 3

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 685 of said code is amended to read:

685. No person shall fraudulently manipulate the measure, weight or test used for determining the grade or quality of milk, cream or fluid derivatives thereof, nor the test used for determining the percentage of milk fat in milk, cream or fluid derivatives thereof, nor overread or underread any such test, nor take an unfair sample of milk, cream or any fluid derivatives thereof on which the grade, quality or amount of milk fat therein is to be determined, nor fraudulently manipulate any such sample, or the records of any measurement, weight, test, or combination thereof. A permanent record in duplicate of all tests of milk or cream or fluid derivatives thereof purchased, received, or sold on the basis of the amount of milk fat contained therein, must be made by a licensed tester on standard forms supplied by, or in accordance with the specifications for such records adopted by, the department. Each test shall be legibly recorded with indelible pencil or ink in such a manner as to correctly identify the test obtained upon the milk or cream or fluid derivatives thereof. Each sheet or page shall be authenticated by the signature of the licensed tester, and a duplicate record shall be deposited by the licensed tester immediately after completing the test on the day's samples, in a box provided by the purchaser or receiver or seller of milk or cream or fluid derivatives thereof, as the case may be, said box to be constructed, sealed and maintained in accordance with the rules and regulations of the director. The original record shall be immediately delivered to the purchaser or receiver or seller of said milk or cream or fluid derivatives thereof, to be retained by him for at least three months. The licensed tester shall retain an unmodified sample of all milk or cream or fluid derivatives thereof tested by him for not less than 48 hours after tests of said milk or cream have been made and said purchaser or receiver or seller of milk or cream or fluid derivatives thereof shall provide a suitable place where such samples so retained may be kept and such place shall be acceptable to the department. Payment for milk or cream or fluid derivatives thereof shall be made on the basis of weight and the percentage of milk fat contained therein, as determined by samples taken from each lot of said milk or cream or fluid derivatives thereof upon delivery. Should the director find, after investigation by him, that facilities are not available for weighing and testing upon request of the parties he may issue a written permit authorizing the purchase and sale of milk or cream or fluid derivatives thereof upon a gallonage basis. Nothing in this section prohibits weighing and sampling on a route, or the use of composite samples of milk, *or the purchase and sale of market milk obtained from goats on a gallonage basis without the permit provided for in this section*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2545—An act to amend Section 736.10 of the Agricultural Code, relating to minimum wholesale and retail prices for fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "736.10", and insert "736.13".

Amendment No. 2

In line 2 of the title of said bill, strike out "minimum".

Amendment No. 3

In line 3 of the title of said bill, after "cream", insert "and products thereof".

Amendment No. 4

On page 1, line 1, of said bill, strike out "736.10", and insert "736.13".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert

"736 13. No distributor shall sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or to any consumer, and no retail store, restaurant, confectionery or other place for consumption on the premises, shall purchase from any distributor or sell to any consumer, any fluid milk or fluid cream, or either of them, at less than the prices as established by the director under the provisions of this article, and the use or attempted use of any method, device or transaction whereby any distributor sells or offers or agrees to sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or consumer or any retail store, restaurant, confectionery or other place for consumption on the premises, buys or offers or agrees to buy from any distributor, or sells or offers or agrees to sell to any consumer fluid milk or fluid cream, or either, at a price less than that established by the director under the provisions of this article, whether by discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift, or otherwise and whether any such discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift applies directly to fluid milk or fluid cream or is allowed upon or in connection with the sale or handling of any other commodity or product, is hereby prohibited Every distributor in any marketing area wherein an order establishing minimum wholesale and minimum retail prices is in effect shall file with the director schedules and any amendments thereto setting forth the prices at which each such distributor is selling or offering or agreeing to sell fluid milk, fluid cream and dairy products, excluding butter, cheese [,] *other than* cottage cheese, canned milk, powdered milk, casein and ice cream, in such marketing area Such filings shall be made in such office of the director as he shall designate Such prices shall not become effective until the fifth day after filing Evidence of any sale of, or offer or agreement to sell such fluid milk, fluid cream or dairy products by a distributor, made as part of, or in connection with the sale of, or offer or agreement to sell fluid milk and fluid cream, or both, in a marketing area where prices for fluid milk or fluid cream, or both have been established by the director, at less than the prices theretofore filed with the director by such distributor pursuant to the provisions of this section, shall constitute prima facie proof of a violation of this section. Offers and agreements to sell, as used herein shall include offers and agreements which are conditional, or which shall become effective, upon the filing thereafter of amended prices by the distributor making such offer. Upon receipt of such amendments the director shall forthwith date, file, and index the same in such manner that the information therein contained shall at all times be kept current and be readily available to any interested party desiring to inspect the same. Any other distributor in the marketing area may meet any such prices so filed; provided, that such distributor shall file with the director a schedule of prices not exceeding the prices so met by him within 24 hours after meeting the same."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 382—An act to add Section 506 to the Fish and Game Code, relating to game fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 506 to", and insert "amend Section 1038 and to repeal Section 1039 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "game".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 1038 of the Fish and Game Code is amended to read:

1038. Domesticated fish propagated and raised in this State under the license granted in accordance with the provisions of this article *or lawfully reared and imported into this State* may be transported or sold when not alive, during the period for which the license was issued *if originating within this State*, if duly tagged *or packaged* according to the rules and regulations prescribed by the commission *Tags shall be of such type as prescribed by the commission and shall be sold by the commission to the applicants at cost plus handling charges, as determined by the commission.*

SEC. 2. Section 1039 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

SECOND READING OF SENATE BILLS

Senate Bill No. 1453—An act to amend Section 745.2 of the Agricultural Code, relating to the California Dairy Industry Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 100—An act to add Section 951.1 to the Fish and Game Code, relating to trawl nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 735—An act to amend Sections 3040, 3082, and 3473 of the Welfare and Institutions Code, relating to aid to the needy blind and aid to partially self-supporting blind residents.

Bill read second time, and ordered to third reading.

Senate Bill No. 48—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, after "Agriculture," insert "the Department of Fish and Game,".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "or of the Division of Fish and Game,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 296—An act to amend Section 1277 of the Fish and Game Code, relating to deer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 16, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 5, of said bill, strike out "designate", and insert "cause to be designated".

Amendment No. 3

On page 1 of said bill, strike out line 7, and insert "ever a deer license tag is designated for use in a".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on May 16, 1951, after "placed,", strike out "immediately".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 810—An act to repeal Section 2836 and to amend Section 2837 of the Elections Code, relating to county central committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and to amend Section 2837", and insert ", to add Section 2835.5, and to amend Section 2837".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 29, inclusive, and insert

"SEC. 2. Section 2835.5 is added to said code to read:

2835.5. In all counties containing four Assembly districts, the county central committee shall be elected by supervisor districts, and shall consist of five members from each such district

SEC. 3. Section 2837 of said code is amended to read:

2837. In all counties containing less than [five] *four* assembly districts the county central committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: There shall be taken the number of votes cast in the supervisor district at the last gubernatorial election for that party's candidate for Governor, or, if the party had no candidate for Governor, for the candidate of the party voted on throughout the State who received the greatest number of votes and who was the candidate of that party alone. This number shall be divided by one-twentieth of the number of votes cast in that county for Governor or, where the party had no candidate for Governor, for the candidate mentioned above. The integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by that party in that supervisor district.

The county central committees in counties containing less than [five] *four* assembly districts shall be composed of not less than 21 members. If the procedure outlined in the preceding paragraph would result in less than 21 members being elected for any county central committee, the number of votes cast for that party's candidate in each supervisor district shall be divided by an amount sufficiently smaller

than one-twentieth of the votes cast for Governor in that county as to give a membership in the county central committee equal to or the nearest amount which is greater than 21 members."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of stepfathers to support needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 1, 1951, strike out lines 3 to 10, inclusive, and insert

"1508. Where a needy child as defined in this chapter lives with his mother and stepfather, the amount of the grant made pursuant to Section 1511 of this code shall be computed after consideration is given to the income of the stepfather. The county granting aid shall determine if the stepfather is able to support the child either wholly or in part Said determination shall be based upon a standard which takes into account the stepfather's income and expenses under regulations set forth by the Department of Social Welfare. Nothing in this section shall be construed to alter the legal obligations of a natural father to support his children."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

Senate Bill No. 1634—An act to add Sections 142, 143, 143.1, 143.2, 143 3, 143.4, 143.5, 143 6 and 143.7 to the Welfare and Institutions Code, and to repeal Sections 1520, 1520.1, 1521, 1521.2, 1521.5, 2163, 2163.1, 2163.2, 2163.4, 2163.5, 2163.7, 2164, 2165, 2165a, 2165d, 3047, 3047.01, 3047.02, 3047.2, 3047 21, 3047.24, 3047.25, 3047.27, 3047.3, 3047.5, 3447, 3447.1, 3447.3, and 3448 thereof, relating to public assistance, in respect to property qualifications therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 22, 1951, after "1521.5," insert "2007.5,".

Amendment No. 2

On page 2, line 19, of said bill, strike out "SEC. 2.", and insert "SEC. 2.5."

Amendment No. 3

On page 2, line 23, of said bill, after the period, insert "In respect to applicants for and recipients of aid to the blind, personal effects also include books, tools, equipment, and other items of similar character, used and necessary for the rehabilitation of the blind person."

Amendment No. 4

On page 3, line 6, of said bill, strike out "this chapter", and insert "Chapter 3 of Division 5".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Elliott to withdraw Assembly Bill No. 2251 from committee was continued until the next legislative day.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dunn to reconsider the vote whereby Assembly Bill No. 1715 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

Hon. Richard H. McCollister Presiding

At 10.12 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1464—An act to amend Sections 10, 10a, 10b, 11, and 11d of the Municipal Court Act of 1925, relating to certain municipal courts, and prescribing the number, compensation and duties of the officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1464?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 1, 1951, and insert

"An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles."

Amendment No. 2

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. In the municipal court, established in the City of Los Angeles and in a judicial district embracing the City of Los Angeles, officers and attaches shall be appointed and compensated as follows.

There shall be one clerk who shall receive a salary of eight hundred eighty dollars ($880) per month and who may appoint the following:

One deputy clerk (chief clerk, traffic department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (chief clerk, civil department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (chief clerk, criminal department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (chief clerk, accounting department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (referee), who shall receive six hundred dollars ($600) monthly;

Six deputy clerks, each of whom shall receive five hundred ten dollars ($510) monthly;

Twelve deputy clerks, each of whom shall receive four hundred sixty dollars ($460) monthly;

Thirty-eight deputy clerks, each of whom shall receive four hundred thirty-five dollars ($435) monthly;

Five deputy clerks, each of whom shall receive three hundred seventy-five dollars ($375) monthly;

Twenty deputy clerks, each of whom shall receive three hundred thirty-five dollars ($335) monthly;

Sixteen deputy clerks, each of whom shall receive three hundred ten dollars ($310) monthly;

Forty deputy clerks, each of whom shall receive two hundred eighty-five dollars ($285) monthly;

Twelve deputy clerks, each of whom shall receive two hundred sixty-five dollars ($265) monthly;

One hundred twenty deputy clerks each of whom shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12) and fourteen dollars ($14) per month to a maximum of two hundred fifty dollars ($250) monthly; provided, however, that each deputy clerk employed prior to the effective date of this provision at a flat rate salary of two hundred twenty-five dollars ($225) or less shall succeed to a step rate of compensation not less than fifteen dollars ($15) nor more than twenty-five dollars ($25) higher than the flat rate salary previously received by such employee

Annual increments hereunder shall accrue on the first day of the month following the anniversary date of employment.

In addition to the salaries in this section above provided, the clerk and deputy clerks shall be allowed their reasonable and necessary expenses, which shall include necessary traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

SEC. 3. There shall be one marshal who shall receive a salary of eight hundred eighty dollars ($880) monthly and who may appoint the following:

One assistant marshal who shall receive six hundred dollars ($600) monthly;

One deputy marshal (chief clerk) who shall receive four hundred seventy-five dollars ($475) monthly;

Two deputy marshals (captains) each of whom shall receive five hundred sixteen dollars ($516) monthly;

Six deputy marshals (lieutenants) each of whom shall receive four hundred forty dollars ($440) monthly;

Nineteen deputy marshals (sergeants) each of whom shall receive three hundred ninety dollars ($390) monthly;

Fifty-two deputy marshals each of whom shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of twenty-five dollars ($25), and twenty-five dollars ($25) to a maximum of three hundred fifty dollars ($350), monthly;

Two deputy marshals (principal clerks and stenographers) each of whom shall receive three hundred twenty-five dollars ($325) monthly;

Two deputy marshals (senior clerks) each of whom shall receive two hundred ninety-eight dollars ($298) monthly;

Eight deputy marshals (senior clerks and stenographers) each of whom shall receive two hundred sixty-eight dollars ($268) monthly;

Fourteen deputy marshals (clerks and stenographers), each of whom shall receive a minmum salary of two hundred eleven dollars ($211) monthly, with annual increments of sixteen dollars ($16) to a maximum of two hundred forty-three dollars ($243) monthly;

One hundred deputies (custodians) at the fee allowed by law for keeping property.

In addition to the salaries in this section above provided, the marshal and deputy marshal shall be allowed their necessary incidental expenses, incurred in the performance of their duty.

They may be furnished with automobiles at public expense for use in the service of writs and processes or may in lieu of the traveling expenses be allowed not to exceed seven cents ($0.07) per mile for the operation of automobiles furnished by themselves while actually used on public business in the performance of their duty.

SEC. 2. In the municipal court established in the City of Long Beach and in the municipal court established in a judicial district embracing the City of Long Beach the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk who shall receive a salary of seven hundred seventy dollars ($770) per month and who may appoint the following:

One deputy clerk (chief clerk of the civil department) who shall receive a salary of five hundred dollars ($500) per month

One deputy clerk (chief clerk of the criminal department) who shall receive a salary of five hundred dollars ($500) per month;

One deputy clerk (chief clerk of the traffic department) who shall receive a salary of five hundred dollars ($500) per month;

One deputy clerk (jury secretary) who shall receive a salary of five hundred dollars ($500) per month;

One deputy clerk (cashier-bookkeeper) who shall receive a salary of five hundred dollars ($500) per month;

Eight deputy clerks each of whom shall receive a salary of three hundred sixty dollars ($360) per month;

One deputy clerk who shall receive a salary of three hundred forty dollars ($340) per month;

Two deputy clerks each of whom shall receive a salary of three hundred twenty dollars ($320) per month;

Four deputy clerks (stenographers) each of whom shall receive a salary of three hundred dollars ($300) per month;

Two deputy clerks (typists) each of whom shall receive a salary of two hundred seventy-five dollars ($275) per month;

The clerk may also appoint one deputy clerk for each department of the court at a salary of four hundred twenty-five dollars ($425) per month.

The clerk and the employees in his office shall be allowed their necessary expenses including traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

There shall be one marshal who shall receive a salary of seven hundred seventy dollars ($770) per month, and who may appoint the following:

One chief deputy marshal who shall receive five hundred dollars ($500) per month;

Two deputy marshals, who shall each receive four hundred twenty-five dollars ($425) per month;

Five deputy marshals, who shall each receive three hundred twenty-five dollars ($325) per month;

Three deputy marshals who shall each receive three hundred dollars ($300) per month;

Ten deputies (custodians) at the fee allowed by law for keeping property.

The marshal may also appoint seven deputy marshals each of whom shall receive three hundred fifty dollars ($350) per month, one of whom shall be designated from time to time to act as bailiff in each department of the court.

SEC. 3. In the municipal courts established in the Cities of Alhambra, Compton, Glendale, Inglewood, Pasadena and Santa Monica and in municipal courts established in judicial districts embracing the Cities of Alhambra, Compton, Glendale, Inglewood, Pasadena, and Santa Monica the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive six hundred sixty dollars ($660) per month, and who may appoint the following:

One chief deputy clerk who shall receive a salary of five hundred dollars ($500) per month;

Three deputy clerks, each of whom shall receive a salary of four hundred dollars ($400) per month;

Three deputy clerks, each of whom shall receive a salary of three hundred fifty dollars ($350) per month;

Two deputy clerks (stenographers), each of whom shall receive a salary of three hundred dollars ($300) per month;

Three deputy clerks (typists), each of whom shall receive a salary of two hundred seventy-five dollars ($275) per month;

There shall be one marshal of each such court who shall receive six hundred sixty dollars ($660) per month and who may appoint the following.

One chief deputy who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly; with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Ten deputies (custodians) at the fee allowed by law for keeping property.

SEC. 4. In the municipal courts in districts embracing the Cities of Beverly Hills, Burbank, and East Los Angeles, the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24),

and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly, and who may appoint the following:

Two deputy clerks each of whom shall receive a minimum salary of three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22) to a maximum of four hundred seventeen dollars ($417) monthly;

One deputy clerk (bookkeeper and secretary), who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

One deputy clerk, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13) and fourteen dollars ($14) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12) and twelve dollars ($12) to a maximum of two hundred forty-six dollars ($246) monthly;

There shall be one marshal in each such court, who shall receive a minimum salary of three hundred nineteen dollars ($319) monthly with annual increments of eighteen dollars ($18), eighteen dollars ($18), twenty dollars ($20) and twenty dollars ($20) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of ten dollars ($10), twelve dollars ($12), thirteen dollars ($13) and thirteen dollars ($13) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property.

SEC. 5. In the municipal courts in districts embracing the Cities of Downey, El Monte, Los Cerritos, Santa Anita, San Jose, South Gate and Whittier the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-three dollars ($23) and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly and who may appoint the following:

Two deputy clerks (bookkeepers and secretaries), each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13) and fourteen dollars ($14) to a maximum of two hundred seventy-three dollars ($273) monthly;

One deputy clerk who shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly.

There shall be one marshal of each such court who shall receive a minimum salary of three hundred nineteen dollars ($319) with annual increments of eighteen dollars ($18), eighteen dollars ($18), twenty dollars ($20) and twenty dollars ($20) to a maximum of three hundred ninety-five dollars ($395) monthly and who may appoint the following

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of ten dollars ($10), twelve dollars ($12), thirteen dollars ($13) and thirteen dollars ($13) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property

SEC. 6. In the municipal courts in districts embracing the Cities of San Antonio and South Bay the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive a minimum salary of four hundred forty dollars ($440) monthly with annual increments of twenty-four

dollars ($24), twenty-five dollars ($25), twenty-seven dollars ($27), and twenty-nine dollars ($29) to a maximum of five hundred forty-five dollars ($545) monthly; and who may appoint the following:

Two deputy clerks each of whom shall receive a minimum salary of three hundred thirty-seven dollars ($337) monthly with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20) and twenty-two dollars ($22) to a maximum of four hundred seventeen dollars ($417) monthly;

One deputy clerk (bookkeeper and secretary) who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks each of whom shall receive a salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly.

There shall be one marshal of each such court who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly, and who may appoint the following:

One deputy marshal, who shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

One deputy marshal (bookkeeper) who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15) to a maximum of two hundred eighty-eight dollars ($288) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of ten dollars ($10), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13) to a maximum of two hundred fifty-nine dollars ($259) monthly.

SEC. 7. Notwithstanding any other provision of this act, there shall be one marshal for all municipal courts established in judicial districts in Los Angeles County, who shall be appointed in the manner prescribed in this section and who shall receive twelve thousand dollars ($12,000) per annum, payable in equal monthly installments. Said officer shall be known and designated as Marshal of Municipal Courts, Los Angeles County. Said marshal shall possess all of the rights and powers and perform all of the duties imposed upon marshals of municipal courts generally, and shall, with respect to proceedings in each of the municipal courts established in Los Angeles County, exercise all powers and perform all duties imposed by law upon the sheriff with respect to proceedings in the superior court, except that each municipal court included in said county shall separately possess the authority and jurisdiction to select its own bailiffs from among the deputies employed by said marshal.

Not less than 45 days nor more than 60 days after the effective date of this section, the judges of the municipal courts established in Los Angeles County and the incumbent judges of other courts within said county who, at said time, by virtue of the supersedure and automatic succession provisions of the Municipal and Justice Court Act of 1949, will be entitled to become judges of municipal courts on January 1, 1952, shall, upon five days' notice, meet at a time and place designed by the presiding judge of the municipal court located at the county seat, and shall, by a majority vote of such judges attending, select one marshal for the municipal courts established in judicial districts in said county. Such selection shall be made from among the marshals of the municipal courts established in said county under the Municipal Court Act of 1925. The person so selected shall be deemed to possess all of the qualifications and to have met all requirements of law for permanent appointment to said office. Subsequent appointments to said office and the tenure and removal of said marshal shall be governed by the provisions of the Municipal and Justice Court Act of 1949, except that such appointments and removals shall be made by the majority vote of municipal court judges, said voting to be conducted in the manner hereinabove provided. The marshal

first so selected shall be deemed appointed forthwith, but the status of said officer as to powers, duties and compensation shall become operative on January 1, 1952; provided, however, that said marshal shall, prior to said date, have authority to appoint and assign officers, deputies and attaches to positions enumerated in this act, which appointments shall become effective on January 1, 1952, and shall give each such officer, deputy or attache 10 days' notice of his prospective appointment and assignment.

The marshal shall appoint the following who shall receive the salaries hereafter specified:

One assistant marshal who shall receive a salary of eight hundred dollars ($800) per month; provided that the first appointment to said position shall be from among the marshals and deputy marshals of superseded courts, but shall be exempt from all provisions of law relative to the right of such persons to succeed to said position.

One chief deputy inspector who shall receive a salary of seven hundred seventy dollars ($770) per month.

One chief deputy marshal who shall receive a salary of seven hundred dollars ($700) per month.

Six inspectors, each of whom shall receive a salary of six hundred sixty dollars ($660) per month.

Eight captains, each of whom shall receive a salary of five hundred sixteen dollars ($516) per month.

Ten lieutenants, each of whom shall receive a salary of four hundred forty dollars ($440) per month.

Twenty-six sergeants, each of whom shall receive a salary of four hundred ten dollars ($410) per month.

One hundred fifteen senior deputies, each of whom shall receive a salary of three hundred seventy-five dollars ($375) per month.

Thirty-five deputy marshals, each of whom shall receive a salary of three hundred fifty-five dollars ($355) per month.

Thirty deputy clerks, each of whom shall receive a salary of three hundred three dollars ($303) per month.

Eleven deputy bookkeepers, each of whom shall receive a salary of two hundred eighty-eight dollars ($288) per month.

Eighteen bailiff-clerks, each of whom shall receive a salary of two hundred seventy-three dollars ($273) per month.

One head clerk who shall receive a salary of three hundred seventy-five dollars ($375) per month.

Six senior clerks, each of whom shall receive a salary of three hundred nineteen dollars ($319) per month.

Thirty deputy clerks, each of whom shall receive a salary of two hundred forty-six dollars ($246) per month.

Three secretary-stenographers, each of whom shall receive a salary of three hundred three dollars ($303) per month.

Two hundred deputies (custodians) at the fee allowed by law for keeping property.

The judges of each municipal court established in a judicial district in Los Angeles County shall select, from among the deputies of the marshal's office, such person or persons to act as court bailiffs as may be reasonably necessary for the proper operation of such court.

Except where this section otherwise provides, the provisions of the Municipal and Justice Court Act of 1949 shall govern the appointment and assignment of officers, deputies and attaches to the offices and positions enumerated in this section, and shall define the rights, benefits and privileges of the marshals, constables, deputies and attaches of superseded courts, including the right of such persons to succeed to such offices and positions. The marshal and his deputies and attaches of each of the courts in Los Angeles County which were established under the Municipal Court Act of 1925 shall succeed to positions prescribed in this section which provide salaries at least equal to 10 percent more than those received as attaches of the superseded courts prior to the effective date of this act; provided further, that if the salary established by this act for such new position is less than 10 percent more than that received by the person appointed thereto, prior to the effective date of this act, such salary shall be deemed increased for the period of the appointee's incumbency to a sum equal to 10 percent more than the salary received by such person in the position previously held prior to the effective date of this act

All provisions of law relating to marshals of municipal courts, or a marshal of a municipal court and the deputies and attaches thereof, not inconsistent with the provisions of this section, shall apply to the Marshal of Municipal Courts, Los Angeles County, and to the officers, deputies and attaches of said marshal. The board of supervisors of Los Angeles County shall provide suitable quarters for said marshal, including heating, lighting and janitorial services, and shall supply furniture, books and supplies necessary for carrying out the duties prescribed by law for said marshal."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 20, inclusive; and strike out the remainder of the bill.

Amendment No. 4

On page 1 of the printed bill, as amended in the Assembly on May 23, 1951, between lines 5 and 6, insert

"There shall be one referee who shall be appointed by the judges of the court and who shall receive six hundred dollars ($600) monthly ;".

Amendment No. 5

On page 1 of said bill, as amended, strike out line 6, and insert "There shall be one clerk who shall be appointed by the judges of the court and who shall receive eight".

Amendment No. 6

On page 1, line 7, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 3 and 4.

Amendment No. 8

On page 2 of said bill, as amended, strike out line 24, and insert "($12), twelve dollars ($12), and fourteen dollars ($14)".

Amendment No. 9

On page 2, line 25, of said bill, as amended, strike out "month", and insert "monthly".

Amendment No. 10

On page 2 of said bill, as amended, strike out lines 34 to 38, inclusive.

Amendment No. 11

On page 2 of said bill, as amended, strike out lines 39 and 40, and insert

"There shall be one marshal who shall receive eight hundred eighty dollars ($880) monthly, and who".

Amendment No. 12

On page 3, line 5, of said bill, as amended, after "($350)", strike out the comma.

Amendment No. 13

On page 3, line 17, of said bill, as amended, after "($16)", insert ", and sixteen dollars ($16)".

Amendment No. 14

On page 3, line 19, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 15

On page 3 of said bill, as amended, strike out lines 21 to 29, inclusive.

Amendment No. 16

On page 3 of said bill, as amended, strike out line 34, and insert

"There shall be one clerk who shall be appointed by the judges of the court and who shall receive seven".

Amendment No. 17

On page 3, line 35, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 18

On page 3 of said bill, as amended, strike out line 38, and insert "shall receive five hundred dollars ($500) monthly ;".

Amendment No. 19

On page 3 of said bill, as amended, strike out lines 40 and 41, and insert "who shall receive five hundred dollars ($500) monthly ;".

Amendment No. 20

On page 3 of said bill, as amended, strike out lines 43 and 44, and insert "who shall receive five hundred dollars ($500) monthly ,".

Amendment No. 21

On page 3, line 45, of said bill, as amended, strike out "a".

Amendment No. 22

On page 3 of said bill, as amended, strike out line 46, and insert "five hundred dollars ($500) monthly ;".

Amendment No. 23

On page 3 of said bill, as amended, strike out line 48, and insert "five hundred dollars ($500) monthly ;".

Amendment No. 24

On page 3, line 49, of said bill, as amended, strike out "a salary".

Amendment No. 25

On page 3 of said bill, as amended, strike out line 50, and insert "three hundred sixty dollars ($360) monthly ;".

Amendment No. 26

On page 3, line 51, of said bill, as amended, strike out "a salary of".

Amendment No. 27

On page 3, line 52, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 28

On page 4, line 1, of said bill, as amended, strike out "a salary of".

Amendment No. 29

On page 4, line 2, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 30

On page 4 of said bill, as amended, strike out line 4, and insert "receive three hundred dollars ($300) monthly ;".

Amendment No. 31

On page 4, line 5, of said bill, as amended, strike out "a".

Amendment No. 32

On page 4 of said bill, as amended, strike out line 6, and insert "two hundred seventy-five dollars ($275) monthly ;".

Amendment No. 33

On page 4, line 8, of said bill, as amended, strike out "at a salary of", and insert "who shall receive".

Amendment No. 34

On page 4, line 9, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 35

On page 4 of said bill, as amended, strike out lines 10 to 13, inclusive.

Amendment No. 36

On page 4, line 14, of said bill, as amended, strike out "a salary of".

Amendment No. 37

On page 4, line 15, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 38

On page 4, line 18, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 39

On page 4, line 19, of said bill, as amended, strike out "who shall each", and insert "each of whom shall".

Amendment No. 40

On page 4, line 20, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 41

On page 4, line 21, of said bill, as amended, strike out "who shall each", and insert "each of whom shall".

Amendment No. 42

On page 4, line 22, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 43

On page 4, line 23, of said bill, as amended, strike out "who shall each", and insert "each of whom shall".

Amendment No. 44

On page 4, line 24, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 45

On page 4, line 25, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 46

On page 4, line 28, of said bill, as amended, strike out "per"; and in line 29, strike out "month", and insert "monthly".

Amendment No. 47

On page 4, line 37, of said bill, as amended, after "court", insert "who shall be appointed by the judges thereof and".

Amendment No. 48

On page 4, line 38, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 49

On page 4, line 40, of said bill, as amended, strike out "a salary of".

Amendment No. 50

On page 4, line 41, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 51

On page 4, line 42, of said bill, as amended, strike out "a salary".

Amendment No. 52

On page 4 of said bill, as amended, strike out line 43, and insert "four hundred dollars ($400) monthly;".

Amendment No. 53

On page 4, line 44, of said bill, as amended, strike out "Three", and insert "Four".

Amendment No. 54

On page 4, line 44, of said bill, as amended, strike out "a salary".

Amendment No. 55

On page 4 of said bill, as amended, strike out line 45, and insert "three hundred fifty dollars ($350) monthly;".

Amendment No. 56

On page 4 of said bill, as amended, strike out line 47, and insert "receive three hundred dollars ($300) monthly;".

Amendment No. 57

On page 4 of said bill, as amended, strike out line 49, and insert "two hundred seventy-five dollars ($275) monthly;".

Amendment No. 58

On page 5, line 2, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 59

On page 5, line 13, of said bill, as amended, after "($20)", strike out the comma.

Amendment No. 60

On page 5, line 19, of said bill, as amended, after the second "($18)", strike out the comma.

Amendment No. 61

On page 5, line 22, of said bill, as amended, after "monthly", strike out the semicolon and insert a comma.

Amendment No. 62

On page 5 of said bill, as amended, strike out line 24, and insert "lars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a".

Amendment No. 63

On page 5, line 26, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 64

On page 5, lines 28 and 29, of said bill, as amended, strike out "embracing the Cities of", and insert "known and designated as".

Amendment No. 65

On page 5, line 32, of said bill, as amended, after "court", insert "who shall be appointed by the judges thereof and".

Amendment No. 66

On page 5, line 39, of said bill, as amended, after "clerks", insert a comma.

Amendment No. 67

On page 5, line 46, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 68

On page 5, line 47, of said bill, as amended, after the second "($15)", insert a comma

Amendment No. 69

On page 6, line 2, of said bill, as amended, after "($13)", insert a comma.

Amendment No. 70

On page 6, line 5, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 71

On page 6, line 7, of said bill, as amended, after the first "($12)", insert a comma.

Amendment No. 72

On page 6, line 11, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 73

On page 6, line 12, of said bill, as amended, after "($20)", insert a comma.

Amendment No. 74

On page 6, line 17, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 75

On page 6, line 18, of said bill, as amended, after "($16)", insert a comma.

Amendment No. 76

On page 6, line 21, of said bill, as amended, after "(clerk)", insert a comma.

Amendment No. 77

On page 6, line 22, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 78

On page 6, line 24, of said bill, as amended, after the first "($13)", insert a comma.

Amendment No. 79

On page 6, line 26, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 80

On page 6, lines 28 and 29, of said bill, as amended, strike out "embracing the cities of", and insert "known and designated as".

Amendment No. 81

On page 6, line 32, of said bill, as amended, after 'court", insert "who shall be appointed by the judges thereof and".

Amendment No. 82

On page 6, line 34, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 83

On page 6, line 35, of said bill, as amended, after "($23)", insert a comma.

Amendment No. 84

On page 6, line 40, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 85

On page 6, line 41, of said bill, as amended, after the third "($15)", insert a comma.

Amendment No. 86

On page 6, line 45, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 87

On page 6, line 47, of said bill, as amended, after the second "($13)", insert a comma.

Amendment No. 88

On page 6, line 49, of said bill, as amended, after "clerk", insert a comma.

Amendment No. 89

On page 6, line 50, of said bill, as amended, after "monthly", insert a comma

Amendment No. 90

On page 6, line 51, of said bill, as amended, after "($12)", insert a comma.

Amendment No. 91

On page 7, line 3, of said bill, as amended, after "court", insert a comma.

Amendment No. 92

On page 7, line 5, of said bill, as amended, after "($319)", insert "monthly".

Amendment No. 93

On page 7, line 6, of said bill, as amended, after "($20)", insert a comma.

Amendment No. 94

On page 7, line 9, of said bill, as amended, after "marshal", insert a comma.

Amendment No. 95

On page 7, line 10, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 96

On page 7, line 12, of said bill, as amended, after "($16)", insert a comma.

Amendment No. 97

On page 7, line 14, of said bill, as amended, after "(clerk)", insert a comma.

Amendment No. 98

On page 7, line 15, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 99

On page 7, line 17, of said bill, as amended, after the first "($13)", insert a comma.

Amendment No. 100

On page 7, line 19, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 101

On page 7, lines 21 and 22, of said bill, as amended, strike out "embracing the Cities of", and insert "known and designated as".

Amendment No. 102

On page 7, line 24, of said bill, as amended, after "court", insert "who shall be appointed by the judges thereof and".

Amendment No. 103

On page 7, line 25, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 104

On page 7, line 30, of said bill, as amended, after "clerks", insert a comma.

Amendment No. 105

On page 7, line 31, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 106

On page 7, line 33, of said bill, as amended, after the second "($20)", insert a comma.

Amendment No. 107

On page 7, line 35, of said bill, as amended, after "secretary)", insert a comma

Amendment No. 108

On page 7, line 37, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 109

On page 7, line 38, of said bill, as amended, after the second "($15)", insert a comma.

Amendment No. 110

On page 7, line 42, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 111

On page 7, line 44, of said bill, as amended, after the first "($11)", insert a comma.

Amendment No. 112

On page 7, line 46, of said bill, as amended, after "clerks", insert a comma.

Amendment No. 113

On page 7, line 47, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 114

On page 7, line 48, of said bill, as amended, after "($12)", insert a comma.

Amendment No. 115

On page 8, line 1, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 116

On page 8, line 8, of said bill, as amended, after the second "($18)", strike out the comma.

Amendment No. 117

On page 8, line 13, of said bill, as amended, after "($16)", insert a comma.

Amendment No. 118

On page 8, line 18, of said bill, as amended, after the second "($15)", strike out the comma.

Amendment No. 119

On page 8, line 20, of said bill, as amended, after "(bookkeeper)", insert a comma.

Amendment No. 120

On page 8, line 27, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 121

On page 8, line 36, of said bill, as amended, strike out "Said officer", and insert "He".

Amendment No. 122

One page 8, lines 37 and 38, of said bill, as amended, strike out "Said marshal", and insert "He".

Amendment No. 123

On page 8, line 44, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 124

On page 8, line 46, of said bill, as amended, strike out "employed by said marshal", and insert "selected by him".

Amendment No. 125

On page 9, line 2, of said bill, as amended, after "notice", insert "in writing".

Amendment No. 126

On page 9, line 4, of said bill, as amended, strike out "one"; strike out all of line 5, and in line 6, strike out "tricts in said county", and insert "the Marshal of Municipal Courts, Los Angeles County".

Amendment No. 127

On page 9, line 7, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 128

On page 9, line 8, of said bill, as amended, after the period, insert "The judges may adopt rules not inconsistent with this section to carry out its provisions."

Amendment No. 129

On page 9, line 10, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 130

On page 9, line 15, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 131

On page 9, line 16, of said bill, as amended, strike out "marshal", and insert "Marshal of Municipal Courts, Los Angeles County,".

Amendment No. 132

On page 9, line 19, of said bill, as amended, strike out "provided, however, that said marshal", and insert "except that he".

Amendment No. 133

On page 9, line 20, of said bill, as amended, strike out "said", and insert "that".

Amendment No. 134

On page 9, line 27, of said bill, as amended, strike out "a salary of".

Amendment No. 135

On page 9, line 28, of said bill, as amended, strike out "per month; provided that", and insert "monthly,".

Amendment No. 136

On page 9, line 29, of said bill, as amended, strike out "said position shall", and insert "the position to".

Amendment No. 137

On page 9, line 30, of said bill, as amended, strike out "but shall be", and insert "and".

Amendment No. 138

On page 9, line 31, of said bill as amended, strike out "persons", and insert "person".

Amendment No. 139

On page 9, line 32, of said bill, as amended, strike out "said position.", and insert "such position;".

Amendment No. 140

On page 9, line 33, of said bill, as amended, strike out "a salary of".

Amendment No. 141

On page 9, line 34, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 142

On page 9, line 35, of said bill, as amended, strike out "a salary of".

Amendment No. 143

On page 9, line 36, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 144

On page 9, line 37, of said bill, as amended, strike out "a salary of".

Amendment No. 145

On page 9, line 38, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 146

On page 9, line 39, of said bill, as amended, strike out "a salary of".

Amendment No. 147

On page 9, line 40, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 148

On page 9, line 41, of said bill, as amended, strike out "a salary of".

Amendment No. 149

On page 9, line 42, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 150

On page 9, line 43, of said bill, as amended, strike out "a salary".

Amendment No. 151

On page 9 of said bill, as amended, strike out line 44, and insert "four hundred ten dollars ($410) monthly;".

Amendment No. 152

On page 9, line 46, of said bill, as amended, strike out "a salary of".

Amendment No. 153

On page 9 of said bill, as amended, strike out line 47, and insert "monthly;".

Amendment No. 154

On page 9 of said bill, as amended, strike out line 49, and insert "three hundred fifty-five dollars ($355) monthly;".

Amendment No. 155

On page 9, line 50, of said bill, as amended, strike out "a salary".

Amendment No. 156

On page 9 of said bill, as amended, strike out line 51, and insert "three hundred three dollars ($303) monthly;".

Amendment No. 157

On page 10 of said bill, as amended, strike out line 2, and insert "two hundred eighty-eight dollars ($288) monthly;".

Amendment No. 158

On page 10, line 3, of said bill, as amended, strike out "a salary".

Amendment No. 159

On page 10 of said bill, as amended, strike out line 4, and insert "two hundred seventy-three dollars ($273) monthly;".

Amendment No. 160

On page 10, line 5, of said bill, as amended, strike out "a salary of".

Amendment No. 161

On page 10, line 6, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 162

On page 10, line 7, of said bill, as amended, strike out "a salary of".

Amendment No. 163

On page 10, line 8, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 164

On page 10, line 9, of said bill, as amended, strike out "a salary".

Amendment No. 165

On page 10 of said bill, as amended, strike out line 10, and insert "two hundred forty-six dollars ($246) monthly;".

Amendment No. 166

On page 10 of said bill, as amended, strike out line 12, and insert "three hundred three dollars ($303) monthly;".

Amendment No. 167

On page 10, line 13, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 168

On page 10, line 32, of said bill, as amended, after "act", insert "insofar as such positions are available and if such position is not available, to the most nearly comparable position which is available;".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1464 by the following vote:

AYES—Davis, Doyle, Evans, Lindsay, and Munnell—5.

NOES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stewart, Thomas, and Tomlinson—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 1464

The Speaker announced the appointment of Messrs. Grant, Munnell, and Rosenthal as a Committee on Conference concerning Assembly Bill No. 1464.

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1989?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 2, 1951, strike out "6487", and insert "6486".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1989 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, and Thomas—57.

NOES—None.

Assembly Bill No. 1989 ordered enrolled.

Assembly Bill No. 3029—An act to amend Section 4845 28 of, and add Sections 4738 and 4742.1 to, the Health and Safety Code, relating to county sanitation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3029?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "of", insert ", and add Sections 4738 and 4742 1 to,".

Amendment No. 2

On page 1, line 11, of said bill, as amended, strike out "upon the"; and strike out lines 12 to 18, inclusive, and insert "pursuant to Article 7 of this chapter, without the necessity of holding an election, upon the filing of a petition with the district board signed by the owner or owners of such part or portion"

Amendment No. 3

On page 1 of said bill, as amended, after line 22, insert

"SEC. 2 Section 4738 is added to said code, to read:

4738 A county sanitation district may sue and be sued by its own name.

SEC. 3 Section 4742 1 is added to said code, to read:

4742 1. It may contract with any district, city, governmental agency or person for the handling, treatment or disposal by the district of sewage or industrial wastes originating within the district or county or within areas outside of the district or county when, in the judgment of the district board, it is for the best interest of the district to do so, upon such terms and conditions as may be agreed upon, provided that the contract shall be for such term as agreed upon, but in no event for a term in excess of 50 years, or for such time as in the judgment of the district board the district shall have the capacity for handling, treatment or disposal of such sewage or industrial wastes."

Amendment No. 4

On page 2, line 4, of the printed bill, as amended in the Senate on May 17, 1951, after the first "to", insert "Article 4, Chapter 3, Part 3, Division 5, of".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3029 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stewart, Thomas, and Tomlinson—58.

NOES—None.

Assembly Bill No 3029 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 759

Mr. Maloney asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 759, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 759?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1951, strike out lines 1 to 21, inclusive; and on page 2 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1 Section 20392.5 is added to the Education Code, to read:

20392 5 The Director of Education shall adopt regulations for the determination of the order in which employees of a state college shall be dismissed when the dismissal of employees of the state college is required because funds have not been made available for salaries of such employees or because of the discontinuance of services or classes. Such regulations shall, in addition to any other provisions, provide, to the extent the Director of Education shall deem practical, for the dismissal of employees in the inverse of the order of their employment.

The Director of Education shall also adopt regulations governing the re-employment of persons in a state college who were dismissed therefrom because funds were not made available for the salaries of such employees or because of the discontinuance of services or classes Such regulations shall, in addition to any other provisions, provide, to the extent the Director of Education shall deem practical, that for a period of five years following the dismissal of any such person he shall have the right to be re-employed in a position comparable to that from which he was dismissed in preference to any person not in the employ of the college at the time of his dismissal.

The Director of Education in adopting regulations under this section shall proceed in accordance with the provisions of Chapter 4, Part 1, Division 3, Title 2 of the Government Code."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 759 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—55.

NOES—None.

Assembly Bill No. 759 ordered enrolled.

Speaker Pro Tempore Presiding

At 10.22 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3389?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, after "Code", insert "; and to amend Section 9701 of said code".

Amendment No. 2

On page 2, line 10, of said bill, as amended, before the period, insert "; provided, such transportation is within the State and not in excess of a radius of 180 miles from the school or schools of the district".

Amendment No. 3

On page 2 of said bill, as amended, after line 10, insert

"SEC. 2. Section 9701 of said code is amended to read:

9701. The governing board of any school district maintaining secondary schools shall have power with the approval of the State Department of Education to establish and maintain classes for adults, *except programs and classes in outdoor science education and conservation education as the term is employed in Section 10056*, for the purpose of providing instruction in civic, vocational, literacy, health, homemaking, technical and general education."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3389 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 3389 ordered enrolled.

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural waterwell boring rigs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3406?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 14, 1951, after "39.6.", insert "Agricultural".

Amendment No. 2

On page 1, line 4, of said bill, as amended, before "Water Well", insert "Agricultural".

Amendment No. 3

On page 1, line 5, of said bill, as amended, after "water-wells", insert "on agricultural property".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3406 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 3406 ordered enrolled.

Assembly Joint Resolution No. 35—Relative to tariffs on wine.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 35?

Amendment No. 1

On page 1, line 10, of the printed measure, strike out "now, therefore, be it", and insert "and".

Amendment No. 2

On page 1, between lines 10 and 11, of said measure, insert

"WHEREAS, The Congress of the United States has before it for consideration H.R. 1612 which, in the form approved by the Senate Finance Committee, contains provisions to strengthen procedures by which tariff protection can be restored for American industries which have been damaged by loss of markets resulting from past tariff reductions; now, therefore, be it".

Amendment No. 3

On page 1, line 14, of said measure, strike out "wine; and be it further", and insert "foreign wines and to provide, by legislation, means whereby adequate tariff protection can be restored for the wines of the United States; and be it further

Resolved, That the Congress of the United States be memorialized to enact H.R. 1612 in the form approved by the Senate Finance Committee; and be it further".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 35 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Joint Resolution No. 35 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1687

Mr. Babbage asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1687, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1687—An act to add Section 7144.1 to the Education Code, relating to school districts constituting component parts of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1687?

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to amend Sections 2861 and 2862 of said code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, following line 10, insert

"SEC. 2. Section 2861 of said code is amended to read:

2861. For the purposes of teachers' reports [and for estimating the number of teachers and the amount of money to which each district is entitled] , the several districts uniting to form a union or joint union elementary school district and the several districts of the union elementary school districts uniting to form a union elementary school district shall continue their separate existence. [They may also continue their separate existence for high school connections as provided for in Article 13 of Chapter 11 of this division.]

SEC. 3. Section 2862 of said code is amended to read:

2862. [Each teacher shall keep the] *The* enrollment and attendance of each *component* district *shall be kept* separate from that of the other *component* districts composing the union or joint union *elementary school* district. [At the close of the term, or year, a report shall be made of the attendance of each district composing the union or joint union elementary school district separately. These separate reports shall be combined in a principal's report. In case of a joint union school district, each teacher shall send a copy of the report to the county superintendent having jurisdiction over the district]

The Superintendent of Public Instruction may, on the request of the governing board of a district, exempt the district from the requirements of this section whenever compliance by such district with such requirements is in his judgment unnecessary to the administration of the laws relating to the apportionment of the State School Fund, and may withdraw such exemption when compliance with such requirements in his judgment becomes necessary to the administration of such laws."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1687 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Assembly Bill No. 1687 ordered enrolled.

NOTICES OF MOTION TO AMEND STANDING RULES CONTINUED

By unanimous consent, Mr. Fleury's notices of motion to amend Standing House Rules Nos. 9, 8 and 10 were continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2224

Assembly Bill No. 1561

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 3188
Assembly Bill No 3189

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2569

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No 87

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 82.

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time, and ordered passed on file, to hold its place on file on the next legislative day, by unanimous consent.

Speaker Presiding

At 10.40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 827—An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body

organizations established in state colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Kelly, Lindsay, Evans, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 827.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Stanley, Stewart, and Thomas—54.

NOES—Beck, Burkhalter, Dills, Dunn, Elliott, Evans, Hawkins, Klocksiem, Lowrey, Moss, Rosenthal, Rumford, and Shaw—13.

Motion to Amend Title

Mr. Geddes moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on May 29, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1901

Mr. Klocksiem asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1901, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1901—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1901?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "No work relief project", and insert "Work relief projects".

Amendment No. 2

On page 1, line 4, of said bill, strike out "consists", and insert "consist".

Amendment No. 3

On page 1, line 5, of said bill, after "shall", insert "not".

Amendment No. 4

On page 1, line 7, of said bill, after "Code", insert "where the work is to be done entirely by indigents, except that those providing supervision need not be indigents".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1901 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1901 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER. Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 55
Assembly Constitutional Amendment No. 58

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 49
Assembly Constitutional Amendment No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3418

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1996
Assembly Bill No. 2621
Assembly Bill No. 2622

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1816

Has had the same under consideration, and reports the same back with the recommendation Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 18
Assembly Bill No 118
Assembly Bill No 812
Assembly Bill No. 1570
Assembly Bill No. 2858
Assembly Bill No. 3291

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2275

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 850
Assembly Bill No. 1221

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1586

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1591

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 121—An act to amend Section 10786 of the Revenue and Taxation Code, and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees;

Assembly Bill No. 1851—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles;

Assembly Bill No. 1852—An act to amend Section 585 of the Vehicle Code, relating to authority of officers;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1871—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts;

Assembly Bill No. 2529—An act to amend Section 11 and to add Section 11 1 to the County Water Authority Act, Chapter 545, Statutes of 1943 as amended, relating to county water authorities;

Assembly Bill No. 2692—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 52
Assembly Bill No. 2336

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 164

By Messrs. Porter, Beck, Burke, Dills, Doyle, Evans, Elliott, Grant, Hahn, Hawkins, Hollibaugh, McMillan, Morris, Munnell, Rosenthal, Thomas, and Klocksiem:

House Resolution No. 164

Relative to congratulating Robert L Smith on his promotion

WHEREAS, Robert L. Smith has been with the *Los Angeles Daily News* for many years during which time he has performed in the best newspaperman's tradition; and

WHEREAS, Robert L. Smith is a native of the West, born in Salt Lake City, Utah, and a resident of Southern California for a number of years, during which time he has been active in community and civic affairs; and

WHEREAS, Robert L. Smith was Regional Chairman of the War Production Board during World War II, and is a member of the Board of Directors of the Los Angeles Downtown Businessmen's Association, the All-Year Club of Southern California, and the Southern California Symphony Association, and for the past eight years has been President of the Los Angeles Board of Airport Commissioners; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Robert L. Smith on his promotion to President and Associate Publisher of the *Los Angeles Daily News*; and be it further

Resolved, That the Chief Clerk of the Assembly send a copy of this resolution to Robert L. Smith.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 1642 Hold Place on File

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1642 be passed on file, and hold its place on file on the next legislative day

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read third time.

Motion That Assembly Bill No. 2689 Be Re-referred to Committee

Mr. Fleury moved that Assembly Bill No. 2689 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

Mr. Silliman seconded the motion.

Roll Call Demanded

Messrs. Elliott, Burkhalter, and Shaw demanded a roll call.

The roll was called, and the motion by Mr. Fleury lost by the following vote:

AYES—Babbage, Burke, Clarke, Cloyed, Collier, Connolly, Conrad, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Sherwin, Silliman, Stewart, and Waters—29

NOES—Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—30.

Assembly Bill No. 2689 ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1075

Mr. Munnell asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1075, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1075—An act to add Section 14551 to the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1075?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "upon the annexation to or inclusion within"; and strike out lines 4 to 7, inclusive, and insert "When land, upon which there are structural improvements owned, being acquired or leased by a district, is withdrawn from the district and included in a city by incorporation, annexation or otherwise, the city shall, if it succeeds to the rights of the district in such structural improvements, as a part of the division of property provided for in Section 14549, assume the outstanding liability of the district in connection with the acquisition or leas-".

Amendment No. 2

On page 1, line 13, of said bill, strike out "sent by registered mail", and insert "mailed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1075 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—64.

NOES—None.

Assembly Bill No. 1075 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1076

Mr. Munnell asked for, and was granted, unanimous consent to take up consideration of Senate amendments to Assembly Bill No 1076, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1076—An act to amend Section 35311 of the Government Code, relating to the annexation of territory.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1076?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "sent by registered mail", and insert "mailed".

Amendment No. 2

On page 2, line 4, of said bill, as amended, strike out "sent by registered mail", and insert "mailed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1076 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1076 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3177

Mr. Henderson asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 3177, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3177?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "; or in any enter-"; and strike out lines 3 and 4; and in line 5, strike out "(b)", and insert ".

(b) The appearance of any minor in any school entertainment or in any entertainment for charity or for children, for which no admission fee is charged.

(c)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3177 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 3177 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2217

Mr. Fleury asked for, and was granted, unanimous consent to take up Assembly Bill No. 2217, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2217

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 1985 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 1985 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2573 Hold Place on File

Mr McFall asked for, and was granted, unanimous consent that Assembly Bill No. 2573 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand seven hundred fifty dollars ($13,750)".

Amendment No. 2

On page 1, line 11, of said bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand seven hundred fifty dollars ($13,750)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 991

Mr. Levering asked for, and was granted, unanimous consent to take up Assembly Bill No. 991, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 991

Assembly Bill No. 991—An act to add Section 10494.6 of the Insurance Code, relating to disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—Berry, George D. Collins, Doyle, Dunn, Elliott, and Henderson—6.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2719—An act to regulate the parking of vehicles by the operators of off-street parking facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Henderson, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—41

NOES—Cloyed, Collier, Conrad, Fleury, Grunsky, Hansen, Hinckley, Levering, Lindsay, McGee, Sherwin, and Silliman—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2816—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53 55 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2776 Hold Place on File

Mr. Hansen asked for, and was granted, unanimous consent that Assembly Bill No. 2776 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 781—An act to amend Section 737gg of the Political Code, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 167

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly Standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the Standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filled by the Speaker.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of _____ dollars ($ _____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 981
Assembly Bill No. 2429

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3122

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Senate Bill No. 70
Senate Bill No. 744
Senate Bill No. 916

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 343

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 908

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3121
Assembly Bill No. 3408

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 60
Senate Bill No 233
Senate Bill No. 291
Senate Bill No. 414
Senate Bill No. 896
Senate Bill No. 1210

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 939

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 634
Assembly Bill No. 2695
Assembly Bill No. 2727

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1426

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

RECESS

At 11.55 a m., on motion of Mr. Babbage, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Hansen suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Hansen moved a call of the Assembly.

Motion carried. Time, 2.01 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brown, Burke, Cloyed, Coats, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Dunn, Elliott, Gaffney, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Stewart, Thomas, and Waters—42.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1767, on motion of Mr. Lyon.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2363

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 2363, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2363

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716, 771 and 773 of said code, and to repeal Sections 715, 772 and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Stanley, and Tomlinson—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2009

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No 2009, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2009

Assembly Bill No. 2009—An act to amend Section 10291 5 of the Insurance Code, relating to disability insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Stanley, Stewart, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 751—An act to amend Section 496 of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, and Stewart—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2894—An act to amend Section 928 of the Health and Safety Code, relating to local health districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that the letter of transmittal of the Fourth Report of the Assembly Interim Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings, dealing with tideland reclamation and development in Northern California, be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, May 31, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR SPEAKER: Your Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings herewith files its Fourth Report dealing with tideland reclamation and development in Northern California.

At its hearings, the committee particularly noted the wide divergence of opinion relative to the future needs for the reclamation and development of tide and submerged lands. Because of this difference of opinion the committee feels that the State, as the only governmental unit of which the Bay area communities are a part, must assist in creating some authority which would be representative of these communities in all matters affecting future long-range planning in the reclamation and development of the tidelands for industrial and commercial use.

Respectfully submitted.

RICHARD J. DOLWIG, Chairman
GEORGE D. COLLINS, JR.
ARTHUR H. CONNOLLY, JR.
RANDAL F. DICKEY
FRANCIS DUNN, JR.
EDWARD M GAFFNEY
ERNEST R. GEDDES
FRANK LANTERMAN
ROBERT I. McCARTHY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FOURTH REPORT OF COMMITTEE BE PRINTED AS SEPARATE DOCUMENT

Mr. Dolwig asked for, and was granted, unanimous consent that the above letter of transmittal and the above mentioned report be ordered printed as a separate document, in 10 point type, and that 500 copies be printed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1883

Mr. McMillan asked for, and was granted, unanimous consent to take up the further consideration of Assembly Bill No. 1883, temporarily passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1883

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Lincoln, Gubser, Luckel, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1883.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Stanley, Thomas, and Waters—52.

NOES—Dunn, Lincoln, Luckel, Shaw, and Stewart—5.

Notice of Motion to Reconsider Assembly Bill No. 1883

Mr. Shaw gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1883 was this day passed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532 5 to, the Elections Code, relating to purity of elections.

Bill read third time.

Demand for Previous Question

Messrs. Levering, McGee, Collier, Burke, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3159.

The roll was called, and the bill refused passage by the following vote:

AYES—Beck, Berry, Brown, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Fleury, Gaffney, Gubser, Hagen, Henderson, Hinckley, Kirkwood, Lanterman, Lowrey, Luckel, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Tomlinson, and Waters—30

NOES—Babbage, Belotti, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grunsky, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McGee, McMillan, Morris, Niehouse, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—40.

Notice of Motion to Reconsider Assembly Bill No. 3159

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3159 was this day refused passage.

Notice of Motion Ruled Not in Order

Speaker pro Tempore Maloney ruled the notice of motion to reconsider Assembly Bill No. 3159 out of order because the vote on the bill was reconsidered on May 29th, and there has been no change in the question.

Notice of Motion to Reconsider Assembly Bill No. 3159 Withdrawn

Mr. Coats withdrew his notice of motion that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3159 was this day refused passage.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 3159

Mr. Coats asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 3159.

Mr. Dunn withheld unanimous consent.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 3159

Mr. Coats moved to expunge the record, and rescind the action whereby the Assembly on this day refused passage to Assembly Bill No. 3159.

Mr. Henderson seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brown, Burkhalter, Chapel, Coats, George D Collins, Condon, Cooke, Gaffney, Hagen, Henderson, Hinckley, Lanterman, Lowrey, McFall, Moss, Munnell, Parker, Rosenthal, Shaw, and Waters—21.

NOES—Belotti, Berry, Brady, Burke, Clarke, Collier, Connolly, Conrad, Dolwig, Dunn, Elliott, Geddes, Grunsky, Hansen, Hawkins, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Stanley, Stewart, and Thomas—31.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3440, on request of Mr. Kirkwood.

RESOLUTIONS

The following resolution was offered:

By Mr. Brown:

House Resolution No. 168

Relative to the creation of the Assembly Interim Committee on Judicial System and Judicial Process

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property;

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicle and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation;

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts;

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties;

(j) The method of selection, compensation and retirement of judicial officers and attaches,

(k) The procedure, process, and rules of the courts, statutory and otherwise;

(l) Present enforcement of narcotic laws with reference to use thereof by minors;

(m) All laws relating to family relations including marriage, divorce, conciliation, and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Babbage:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors

Respectfully submitted.

J. D. BABBAGE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Babbage:

An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3448: By Mr. Babbage (By request of Mr. Tomlinson)—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Referred to Committee on Boards and Commissions.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 37

Mr. Lindsay asked for, and was granted, unanimous consent to take up Senate Bill No. 37, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 37

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 21, 1951, strike out "two thousand seven hundred dollars ($2,700)", and insert "three thousand dollars ($3,000)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 3 14 p.m., on motion of Mr. Doyle, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following responded when their names were called:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Education, to which were referred

Senate Bill No 184
Senate Bill No. 1078

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 49
Assembly Constitutional Amendment No. 54

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—Revenue and Taxation, in Room 3186.

Today Upon Adjournment—

Municipal and County Government, in Room 2170.
Transportation and Commerce, in Room 3184.
Ways and Means, in Room 435.

Tomorrow, Friday, June 1st—At 9.30 a.m.—

Rules, in Room 3184.

It was announced that the following committee would hold no meeting tonight:

Industrial Relations.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Debs, former Assemblyman, of Los Angeles.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Sherman Lewis of San Jacinto and Bealie Barnes of Riverside.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Orla St Clair of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Sadie Cable and the following pupils of the Orangevale School: Bill Bradley, Jim Rumsey, Phyllis Monroe, Jennie Howard, Jimmie Klein, Buddy Smith, Jerry Coon, Jerry Ede, Edward Sixt, Richard Haga, Phyllis Janson, Vanis Raley, Phillip Gilmore, Donald Epps, Ray Saceeram, Ted Wilson, Leila Burdorf, Menoree Buchan, Peggy McEachern, Aletha Dieterich, Yvonne Chivington, Mervin Blodgett, Kim Mock, Chad Mock, Joe Ponzio, Charles Burns, Walden Wetter, Jim Luther, Virgil Piper, Donald Griggs, Helen Bievenu, Deanna Van der Vort, Karen Kreiger, Lela Smith, Marie Poni, Barbara Van Hooser, Margarita Quincey, Marsha Schwab, Barbara Caudle, Cruz Villarreal, Catarino Villarreal, Donald Boucher, Bob Lanyanbach, Travis Simon, Renard Perry, Gail Wyatt, James Blair, Steve Kelly, Bessie Allee, Winifred Walker, Thomas McClain, and Bill Warren.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mollie Joyce, teacher, Beatrice Knee, adult, and the following pupils of the Fruit Ridge School: Jack Augster, Jeannine Balliet, Marina Benitey, Patricia Berg, Eugene Borges, Shirley Buell, Richard Chapin, Mary Chase, Bob Cherry, James Costa, Loretta Eddenfield, Maryann Eeds, Beverly Fueston, Kenneth Gand, Loretta Gevia, Kenneth Hageman, Ruby Helwick, Duane Higgenbotham, Eldon Jacobus, Fred Krammerer, Lottie Fay Kane, Dale

Kanyler, Barbara Keller, Richard Knee, Eilleen Logan, Bill Matthews, Dorene Meier, Lucille Nasca, Eddie Nelson, Richard Nelson, Jackie Oros, Myron Page, Geraldine Patterson, Carol Robideaux, Ed Robles, Ora Jane Rogers, Bob Rohr, Carolee Schimmel, Sandra Thomas, Robert Walker, Thomas Walker, Bob Warren, Lois Whitehead, and Marlene Zimmerman.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Harry Miller of Los Angeles.

On request of Messrs. Conrad and Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Eliot of Los Angeles.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Bill Doran, Pacific Coast Baseball League, Mr. and Mrs. Bucky Walters, and Bob Stevens of San Francisco.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to R. T. McCarthy of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Margaret Andersen, teacher, Harold Colburn, and Mrs. Harold Colburn, adults, and the following pupils of the Plymouth School: Don Morrison, Dick Morrison, Joanne Meyers, Sharrell Burke, Mr. Francis Mann, Richard Mann, Joe Connell, Dickie Belcher, Jerry Belcher, Kenneth Parr, Johnnie Wooseley, Gary Colburn, Donald Matulick, Joanne Estey, Donald Ragan, Delbert Farnham, Clarence Wells, and Mr. Wm. T. Andersen.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Friday, June 1, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY

NINETY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 1, 1951

The Assembly met at 10 a.m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, the Framer of the Heavens and Indweller in Human Hearts, To Thee the generations have lifted their hands and hearts in prayer since man became man. We reverently seek a place in Thy holy presence.

Thou art the fountain of life, and without Thee we can do nothing Thy grace is sufficient for us and our weakness is made perfect in Thy strength

"Build thee more stately mansions, O my soul,
As the swift seasons roll!
Leave thy low-vaulted past!
Let each new temple, nobler than the last
Shut thee from heaven with a dome more vast,
Till thou at length art free,
Leaving thine outgrown shell by life's unresting sea."

In Thy Eternal Name —AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Lipscomb.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Smith, on motion of Mr. Lipscomb.

Mr. Lindsay, on motion of Mr. Gubser.

Mr. Kelly, on motion of Mr. McCarthy.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Lipscomb.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 70—Rejecting a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3311—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 3391—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2863—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities;

Assembly Bill No. 3060—An act to amend Section 19368 of the Government Code, relating to employees in the State Civil Service;

Assembly Bill No. 3098—An act to amend Section 17 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner;

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner;

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, and to add Section 26518 5, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, prescribing duties of local food inspection agencies;

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280.1, 28282 5, 28292, and 28299 to, the Health and Safety Code, relating to sanitation in food processing plants and defining "food processing" establishments;

Assembly Bill No. 1278—An act to amend Sections 19533, 19533.1, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, and to add Section 19533 3 to, the Government Code, relating to layoff or demotion in the state civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 144—An act to add Section 226 5 to the Elections Code, relating to affidavits of registration;

Assembly Bill No. 986—An act to add Section 459 6 to the Vehicle Code, relating to boundary line streets and highways and vehicles using the same;

Assembly Bill No. 1053—An act to add Section 5416 to the Health and Safety Code, relating to sanitary conditions on construction sites;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p m.

BURKE, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 964
Assembly Bill No. 2286

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No 3348

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No 145

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2283

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3090

Respectfully reports the same back without recommendation, and re-refer to the Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 1969

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 2944

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No. 2214

Has had the same under consideration, and reports the same back with the recommendation. Do pass

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Senate Bill No 620

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 155	Assembly Bill No. 290
Assembly Bill No. 191	Assembly Bill No. 2435
Assembly Bill No 193	Assembly Bill No. 2895

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No 494
Assembly Bill No. 676
Assembly Bill No. 743
Assembly Bill No 1579
Assembly Bill No. 2252
Assembly Bill No. 2355

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 73
Assembly Concurrent Resolution No 74
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No 76
Assembly Concurrent Resolution No 77
Assembly Concurrent Resolution No 78
Assembly Concurrent Resolution No. 79
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 82
Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No 85
Assembly Constitutional Amendment No. 2

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 23
Assembly Bill No 410
Assembly Bill No. 2149
Assembly Bill No. 2158
Assembly Bill No 2229
Assembly Bill No. 2955
Assembly Bill No 2956
Assembly Bill No 2959
Assembly Bill No 2960
Assembly Bill No. 2961
Assembly Bill No. 2962
Assembly Bill No. 2963
Assembly Bill No 2964
Assembly Bill No 2965
Assembly Bill No. 2966
Assembly Bill No. 2967
Assembly Bill No 2968
Assembly Bill No 2969
Assembly Bill No 2970
Assembly Bill No. 2971
Assembly Bill No. 2972
Assembly Bill No 2973
Assembly Bill No 2974

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2067

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 210
Senate Bill No. 213
Senate Bill No. 393
Senate Bill No. 396
Senate Bill No. 1814

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1032
Assembly Bill No. 2249
Assembly Bill No. 3070
Assembly Bill No. 3384
Assembly Bill No. 3413

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Tenney, Busch, and Watson as a Committee on Conference concerning:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Pursuant to your request, I am returning herewith:

Assembly Bill No. 251

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 30

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 30—Relative to the need for materials for construction of additional school and college buildings in California.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 251

Mr. Geddes asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on May 17th, passed Assembly Bill No. 251.

Assembly Bill No. 251 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 251, on motion of Mr. Geddes.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2569—An act to add Section 13657 to the Edution Code, relating to the rights of certificated employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2621—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2622—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913.

Bill read second time, and ordered engrossed.

Assembly Bill No. 981—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3429—An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2224—An act to add Sections 1303.1, 1303.2, and 1303 3 to the Education Code, relating to employment of superintendents of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "one year", and insert "six months"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "(1) any appli-"; strike out all of line 18; in line 19, strike out "enrollment for a period ending October 31, 1952, and (2)"; and in line 23, strike out "such period", and insert "a period ending October 31, 1952".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 19, of the printed measure, following "provide", insert "that any redevelopment plan may contain a provision".

Amendment No. 2

On page 2 of said measure, at the end of line 8, strike out "; and", and insert "(for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and".

Amendment No. 3

On page 2 of said measure, strike out lines 16 to 21, inclusive; and, in line 22, strike out "advances, or indebtedness"; and insert

"Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (a) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies."

Amendment No. 4

On page 2 of said measure, strike out lines 28 to 41, inclusive, and insert

"The Legislature may also provide that in any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any

indebtedness (whether funded, refunded, assumed or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph designated (b) hereof may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness.

It is intended by this section to empower any redevelopment agency, city, county, or city and county under any law authorized by this section to exercise the provisions hereof separately or in combination with powers granted by the same or any other law relative to redevelopment agencies. This section shall not affect any other law or laws relating to the same or a similar subject but is intended to authorize an alternative method of procedure governing the subject to which it refers."

Amendment No. 5

On page 2, line 47, of said measure, following "fully", insert "and".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 20, of the printed measure, strike out the second "and".

Amendment No. 2

On page 1 of said measure, strike out lines 21 and 22.

Amendment No. 3

On page 1, line 23, of said measure, strike out "money,".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "member manager shall receive for his services and promotional purposes such sum or sums as may from time to time be authorized by the Authority and approved by the Department of Finance. There shall not be more than a total of 10 percent of the money transferred to the World Trade Center Authority by the 1949 Legislature available for such purposes."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3408—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, line 30, of the printed bill, after the period, insert

"A copy of each deed of conveyance executed and delivered by the Director of Finance shall be delivered to the State Lands Commission.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3345—An act to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code, relating to the State Rehabilitation Center, providing for the establishment and operation thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 32, of the printed bill, strike out "minor".

Amendment No. 2

On page 2, line 41, of said bill, strike out "minor".

Amendment No. 3

On page 2, line 44, of said bill, strike out "minor".

Amendment No. 4

On page 3 of said bill, strike out lines 3 and 4, and insert "Department of Education for the cost of maintenance and operation of a resident school for the educable physically handicapped established under Chapter 5.5 of Division 12 of this code The amount shall be five hundred twenty dollars".

Amendment No. 5

On page 3 of said bill, strike out lines 13 to 31, inclusive, and insert

"24550. There is hereby established in the School of Medicine of the University of California, a State Rehabilitation Center, the purpose of which is to provide services and facilities necessary for the education and training of health and medical personnel, the conduct of research, and the diagnosis and treatment, including the re-education of physically handicapped persons.

24551. There is hereby established in the Department of Education the Resident School for the Educable Physically handicapped which shall be maintained at or adjacent to the State Rehabilitation Center and which shall be available, as determined by the department, for pupils exempt under Section 16622 of this code and other handicapped persons, regardless of age."

Amendment No. 6

On page 3 of said bill, strike out lines 38 to 41, inclusive, and insert "sons. It shall provide comprehensive medical, social, psychological, vocational, corrective and other services essential or proper to the rehabilitation of patients admitted to its inpatient or outpatient facilities In addition, where appropriate it shall provide vocational guidance and counseling, vocational testing, vocational exploration, prevocational and pre-employment training, social service, recreational activities, speech correction, development of prosthetic appliances and training in their use, and psychological consultation."

Amendment No. 7

On page 3, line 42, of said bill, after "with", insert "other departments of".

Amendment No. 8

On page 3, line 43, of said bill, after "California", insert "at Los Angeles".

Amendment No. 9

On page 3 of said bill, strike out lines 50 to 52, inclusive; and on page 4, strike out lines 1 to 16, inclusive, and insert

"24554. The State Department of Education shall maintain or contract with the university for the maintenance of said Resident School for the Educable Physically Handicapped Each of the services and facilities of the State Rehabilitation Center and School of Medicine are to be available to the students of such resident school, and the school shall make its services and facilities available for the training and research purposes of the University School of Medicine and Center."

Amendment No. 10

On page 4, line 17, of said bill, strike out "24557", and insert "24555".

Amendment No. 11

On page 4, line 23, of said bill, strike out "24558", and insert "24556".

Amendment No. 12

On page 4 of said bill, strike out lines 38 to 42, inclusive, and insert

"24557. All money collected or received pursuant to Section 5153 (c) of the Education Code is hereby appropriated to the State Department of Education for reimbursement of operating costs of the Resident School at the State Rehabilitation Center for the purposes of this chapter

24558. All money collected or received as fees by the State Rehabilitation Center shall be deposited in the State Rehabilitation Center Fund and is hereby appropriated to the University of California for the purposes of this chapter.

24559. There is hereby appropriated to the University of California for the construction and equipment of the State Rehabilitation Center and the Resident School for the Educable Physically Handicapped, the sum of four million dollars ($4,000,000) of money in the General Fund of which at least seven hundred fifty thousand dollars ($750,000) shall be used for construction and equipment of said resident school."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 850—An act to amend Section 10675 and to repeal Section 10679 of the Health and Safety Code, relating to offenses in connection with the registration of births, deaths, and marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10675 and to repeal Section 10679", and insert "10375".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "offenses in connection with the"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 10375 of the Health and Safety Code, as enacted by Chapter 116 of the Statutes of 1951, is amended to read:

10375. The certificate of death shall be divided into two sections, the first section shall contain those items necessary to establish the fact of death and the second section shall contain those items relating to medical and health data, the first section

shall contain the following items and such other items as the state department may designate:

(1) Personal data concerning decedent:

(a) Full name.

(b) Sex.

(c) Color or race

(d) Marital status

(e) Name of spouse, if married.

(f) Date of birth and age at death.

(g) Birthplace

(h) Usual residence.

(i) Occupation and industry or business.

(2) Date of death, including month, day and year.

(3) Place of occurrence of death.

(4) Parentage.

(a) Full name of father and birthplace of father.

(b) Full maiden name of mother and birthplace of mother

(5) Informant.

(6) Disposition of body information:

(a) [Signature] *Name* and license number of embalmer if body embalmed; name of funeral director, or person acting as such.

(b) Date and place of burial, cremation, or removal

(7) Certification and signature of attending physician; certification and signature of coroner as to action of the coroner when required to act by law, stating kind of action taken, whether inquest, autopsy or investigation

(8) Signature of local registrar and date received by local registrar.

The second section shall contain the following items and such other items as the state department may designate:

(1) Disease or conditions leading directly to death and antecedent causes

(2) Operations and major findings thereof

(3) Accident and injury information."

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1221—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 48 to 51, inclusive, and insert

"4521. The board may appoint an executive secretary of the board The executive secretary shall perform such duties as are delegated by the".

Amendment No. 2

On page 3, line 2, of said bill, strike out "shall", and insert "need not".

Amendment No. 3

On page 10, line 12, of said bill, strike out "shall", and insert "may".

Amendment No. 4

On page 11, line 24, of said bill, after "of", insert "Dry".

Amendment No. 5

On page 12, line 26, of said bill, after "of", insert "Dry".

Amendment No. 6

On page 12 of said bill, after line 28, insert
"State Board of Guide Dogs for the Blind
California Aeronautics Commission
Board of Administration, State Employees' Retirement System.
Department of Motor Vehicles."

Amendment No. 7

On page 2, line 21, of said bill, strike out "The four practical nurse members", and insert "Members".

Amendment No. 8

On page 3 of said bill, after line 50, insert
"The board with the assistance of the Advisory Council shall adopt a standard practical nurse training course with not less than the required number of hours of instruction and clinical experience as determined by the board to coincide with national standards and programs of accredited schools.
All practical nursing schools shall maintain uniform and standard training in California. Any school which maintains the standards provided in this chapter shall be entitled to a license annually unless a complaint is filed against the school and is thereafter sustained."

Amendment No. 9

On page 4, line 2, of said bill, strike out "ten dollars ($10)", and insert "twenty-five dollars ($25)".

Amendment No. 10

On page 5, line 36, of said bill, strike out "one physician and surgeon", and insert "three physicians and surgeons".

Amendment No. 11

On page 5, line 38, of said bill, strike out "or of a director", and insert "of one physician and surgeon actively engaged in the practice of medicine either within or without this State, or two directors".

Amendment No. 12

On page 6, line 18, of said bill, strike out "eighth", and insert "tenth".

Amendment No. 13

On page 6, line 34, of said bill, after "practical", insert "demonstration".

Amendment No. 14

On page 6, line 36, of said bill, after "basic", insert "theory and practice of".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of the Government Code, relating to the incorporation and boundaries of cities

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert ", and to add Section 34311.5 to"

Amendment No. 2

On page 1 of said bill, strike out lines 10 to 15, inclusive, and insert "25 percent of the qualified signers as shown by the county registration of voters."

Amendment No. 3

On page 1 of said bill, between lines 23 and 24, insert
SEC. 4. Section 34311.5 is added to said code to read:
34311.5. At any time not later than the hour set for hearing, any owner of property within the limits of the city proposed to be incorporated may make written

protest against the election The protest shall state in general terms the name of the owner of the property affected and the location and area of the property.

At the time set for hearing, the board shall hear and pass upon all protests so made If it finds that protest is made by the owners of a majority of separate parcels of property within the limits of city proposed to be incorporated, no further proceedings for the incorporation of the city shall be taken for one year after the finding."

Amendment No. 4

On page 1, line 24, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 8, of said bill, strike out "SEC. 5", and insert "SEC 6".

Amendment No. 6

On page 2, line 14, of said bill, after the period, insert "If the city is incorporated pursuant to such proceedings the county shall be reimbursed by such city for all such costs, which shall be a proper charge against the city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 118—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "two thousand four hundred dollars ($2,400)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand six hundred fifty dollars ($3,650)".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "_____ dollars ($_____) a month", and insert "one thousand eight hundred dollars ($1,800) a year".

Amendment No. 4

On page 1 of said bill, after line 20, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall, nevertheless, be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 812—An act to add Section 26153 to the Government Code, relating to the powers of boards of supervisors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 26153 to the Government Code", and insert "amend the title of Chapter 4 of Division 20 of, and to add Section 24404 to, the Health and Safety Code".

Amendment No. 2

In line 2 of the title of said bill, strike out "powers of boards of supervisors", and insert "prevention of accidents".

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 26153 is added to the Government"; and strike out lines 2 to 11, inclusive, and insert

"The title of Chapter 4 of Division 20 of the Health and Safety Code is amended to read

CHAPTER 4. ABANDONED EXCAVATIONS AND CONTAINERS

SEC. 2. Section 24404 is added to Chapter 4 of Division 20 of said code to read:

Sec 24404 Every person who abandons, leaves or places, or causes to be abandoned, left or placed in any field, lot, yard or other open place, or in any vacant structure or building not effectively secured against entrance, whether belonging to himself or another, or being the owner, lessee, tenant, or manager of such structure or building, knowingly permits to remain there, any ice box, refrigerator, chest, cabinet, or other similar type container which has a capacity of at least 2 cubic feet and from which the latch or catch upon the door has not been removed or rendered unworkable, whether belonging to himself or another, is guilty of a misdemeanor

The provisions of this section shall not apply to any vendor or seller of such containers who keeps or stores such containers for sale purposes, if such vendor or seller takes reasonable precautions to effectively secure the door of any such container so as to prevent entrance by children small enough to fit therein."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles, and the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable, in whole or in part, from revenues from such parking places and from revenues from parking meters on the public streets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, strike out ", and", and insert a semicolon

Amendment No. 2

In line 5 of the title of said bill, strike out ", in whole or in part," and insert "either".

Amendment No. 3

In line 6 of the title of said bill, strike out "and", and insert "or".

Amendment No. 4

In line 7 of the title of said bill, after "on", insert "some or all of"

Amendment No. 5

In line 7 of the title of said bill, strike out "streets", and insert "ways, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts".

Amendment No. 6

On page 1 of said bill, strike out lines 2 to 6, inclusive, and insert "referred to, or amended may be designated as "The Parking District Act of 1951." Any district formed hereunder may be named "Parking District No. _____ of the City of _____."

SEC. 2. As used in this act, unless the context requires a different construction, the following terms shall have the following meanings:

(1) "Legislative body" means the legislative body of the city in which the district is located.

(2) "Assessment roll" means the assessment roll used by the city for purposes of city taxation.

(3) "Net revenues", as used with reference to a parking meter, means the revenues remaining after deductions for the cost of acquiring said meter and the cost of its maintenance, operation, repair, servicing and policing.

(4) "Real property" means land and improvements thereon.

SEC. 3. Any portion of a municipality incorporated under the laws of this State may be formed into a parking district for the purposes herein set forth. The things authorized to be done under this act, in addition to any things specified in other sections of this act, include the following:

(1) The formation of districts as herein provided;

(2) The acquisition of land, property and rights of way necessary or convenient for use as public parking places for the parking of motor vehicles and for the opening, widening, straightening or extending of streets, alleys, lanes or walks necessary or convenient for ingress to or egress from any parking place; the words "parking places" as used herein include parking lots, garages, subsurface structures, and buildings for the parking of motor vehicles;

(3) The improvement of any lands acquired by the construction thereon of garages or other buildings or improvements of any kind or nature necessary or convenient for parking purposes, and the improvement by grading, paving, draining, lighting or otherwise improving any parking place and any streets, alleys, lanes or walks necessary or convenient for ingress to and egress from parking places;

(4) The issuance, sale and payment of bonds for any or all of the foregoing purposes and the levy and collection of ad valorem assessments upon real property within the district for the payment of all or a portion of the principal and interest of such bonds;

(5) The administration, maintenance and operation of parking places acquired under this act;

(6) The fixing and collection of rentals, fees and charges for the use of parking places and the use of moneys derived from such rentals, fees and charges,

(7) The contribution by cities of moneys for the acquisition and improvement of such public parking places and public ways for ingress to and egress therefrom; the allocation and pledge of any revenues of the city derived from parking meters on public ways within the district to the payment of principal and interest of bonds, and the making of covenants and agreements with the bondholders to install and maintain such meters.

(8) The employment of engineers, attorneys, and any other persons necessary or convenient for the doing of any of the acts authorized by this act;

(9) Any property to be acquired hereunder may be acquired by gift, purchase, or eminent domain, and any conveyance of property or right of way as a gift may be conditional upon the use of the property for the purpose for which it is conveyed, or property may be conveyed to the city in trust for a particular use or uses and the conveyance may provide that upon the cessation or abandonment of such use or uses the property shall be reconveyed to the donor or to his or its successors or assigns. Any property acquired by condemnation or otherwise may be acquired in fee simple.

(10) The doing of all acts and things necessary or convenient for the accomplishment of any of the purposes of this act. The enumeration of specific authority in this act shall not be deemed to limit in any way the general authority granted by this paragraph.

(11) Any bonds issued hereunder must be payable in part from net revenues derived from parking meters within the districts, or from ad valorem assessments upon real property within the district, or both No ad valorem tax shall be levied upon all property in the city for the payment thereof.

SEC. 4 The formation of a parking district hereunder may be proposed by petition signed by owners of land in the proposed district as shown by the last equalized assessment roll owning lands of an assessed value not less than thirty-five percent (35%) of the total assessed value of all taxable lands in said district as shown by said assessment roll.

SEC. 5. The petition shall contain:

(1) The proposed name of the district

(2) A general description of the boundaries of the proposed district.

(3) A general description of the parking places proposed to be acquired. Said parking places need not be within the boundaries of the proposed district.

(4) A general description of any public ways proposed to be acquired for ingress to or egress from said parking places.

(5) A general statement of the improvements to be made or constructed on said proposed parking places, or on said public ways proposed to be acquired, or on existing public ways which would provide ingress to or egress from said proposed parking places

(6) The limits as to time and rate upon ad valorem assessments, if any, which may be levied upon taxable real property in said district to pay principal and interest of bonds issued for acquisitions and improvements for the benefit of the district, which limits shall not exceed, as to time, twenty years from the date of said bonds, and, as to rate, fifty cents ($0 50) on each one hundred dollars ($100) of assessed valuation.

(7) The amount of money, if any, which it is proposed that the city contribute toward the cost and expense of the acquisitions and improvements proposed by the petition

(8) A general statement of the public ways within the district on which it is proposed the city install and maintain, or continue to maintain, parking meters, the net revenues from which will be allocated and pledged to the payment of the principal and interest of said bonds, and the period of time (measured from the date of said bonds) for which it is proposed that the city agree to maintain said meters If it is proposed that only a portion of said net revenues shall be so allocated and pledged, such *portion shall be generally defined*

SEC. 6 Said petition shall be verified by one or more persons and shall be filed in the office of the clerk of the legislative body. The clerk of the legislative body shall examine said petition and if he finds that it is signed by a sufficient number of qualified signers he shall so certify to the legislative body.

SEC. 7. If the petition proposes a contribution of money by the city, the legislative body either shall reject the petition or shall, prior to the adoption of the resolution of intention, agree to make a contribution not less than the amount specified in the petition. The statement of the amount of city contribution in the petition or in the resolution of intention shall not prevent the city from making additional contributions to the project before or after the issuance of bonds therefor and shall not prevent the city from paying all or any part of the incidental expenses in connection with the proceedings hereunder. If the petition proposes that the city install and maintain, or continue to maintain, parking meters on public ways within the district, the legislative body either shall reject the petition or shall, prior to the adoption of the resolution of intention, agree to install and maintain, or continue to maintain, parking meters as proposed in the petition, provided that the legislative body shall not so agree unless it finds and determines that the public interest, convenience and necessity require that such meters be installed and maintained, or be continued to be maintained, as proposed in the petition

SEC. 8. Following the filing of a petition certified by the clerk of the legislative body as sufficient, the legislative body shall either accept said petition or reject it. If it accepts the petition it shall direct the city engineer or other competent person to make and file with it a report showing the following

(1) An estimate of the cost of the acquisitions and improvements proposed by the petition and of the incidental expenses in connection therewith and of the proceedings therefor.

(2) An estimate of the annual revenues which can be expected to be derived from the operation of the proposed parking places, and of the annual expenses of operating and maintaining said parking places exclusive of principal and interest on the bonds to be issued hereunder.

(3) An estimate of the annual net revenues which can be expected to be derived from the parking meters, the revenues from which are by the petition proposed to be pledged to pay the principal and interest of said bonds

(4) The total assessed value of the real property within the proposed district as shown on the last equalized assessment roll

The provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall *not apply to proceedings under this act*

SEC 9 Following the filing of said report with the legislative body, it may adopt a resolution declaring its intention to form said parking district and to issue bonds in the amount and for the purposes stated in said resolution The resolution shall contain substantially the following:

(1) The name of the proposed district;

(2) A description of the boundaries thereof, this description may be general only and may refer to a map on file in the office of the clerk of the legislative body, which map shall show the boundaries of the proposed district and shall govern for all details thereof;

(3) A general description of the acquisitions and improvements proposed by the petition; this description may be in general terms and may refer to a map, plan or sketch on file in the office of said clerk for a further description of what is proposed to be done;

(4) The estimates of costs, expenses and revenues, and the assessed value of real property in the proposed district, as set forth in the report;

(5) The amount proposed to be contributed by the city toward the proposed acquisitions and improvements;

(6) An estimate of the amount of the bonds proposed to be issued, the maximum number of years said bonds are to run, and the maximum rate of interest to be payable thereon, not in excess of six percent (6%) per annum,

(7) The limits, as stated in the petition as to time and rate upon ad valorem assessments if any, which may be levied upon taxable real property in the district to pay principal and interest of said bonds

(8) A general statement of the public ways within the district on which the city will, as proposed by the petition, install and maintain, or continue to maintain

parking meters, the net revenues from which will be allocated and pledged to the payment of the principal and interest of said bonds, and the period of time (measured from the date of said bonds) for which the city will agree to maintain said meters. If it is proposed that only a portion of said net revenues be so allocated and pledged, such portion shall be generally defined.

(9) The date, hour and place for the hearing on the proposed formation of such district and the time within which and the place where protests may be filed

(10) The resolution shall make reference to the report on file in the office of the clerk

SEC 10 Said resolution shall be published by the clerk of the legislative body twice in a newspaper of general circulation printed and published in said city If no such newspaper is published therein, said resolution shall be posted in three public places within the proposed district. The first publication or the posting of said resolution shall be at least thirty (30) days prior to the date of hearing.

Not less than twenty-five (25) days prior to the date of hearing, the clerk of the legislative body shall mail a copy of the resolution, postage prepaid, to each person to whom real property in the district is assessed as shown on the last equalized assessment roll, at his address as shown on said roll, and to each person, whether owner in fee or having a lien upon or legal or equitable interest in any real property within said district, whose name and address and a designation of the real property in which he is interested, is on file in the office of said clerk. No error, failure or mistake in the mailing of such copy or any thereof and no failure of any person to receive the same shall in any way affect the validity of any proceedings hereunder

SEC. 11. Any person interested and objecting to the formation of said parking district or to the extent thereof or to the inclusion of his property therein or to the acquisitions and improvements as proposed, or to the issuance of bonds or to the doing of any other things as proposed in the resolution of intention may file a written protest with the clerk of the legislative body at any time prior to the time fixed for the hearing. At the hearing the clerk of the legislative body shall present to it all protests filed with him and the legislative body shall hear and determine the same. Its decision thereon shall be final and conclusive; provided, however, that if the owners of taxable real property in said district having an assessed valuation of more than one-half of the assessed valuation of all taxable real property in said district at the conclusion of the hearing have on file and not withdrawn their written protests objecting to the formation of said district, the legislative body shall make a finding that such majority protest has been filed, and upon such finding being made the proceeding shall be deemed abandoned and no further proceedings shall be had or taken pursuant to said petition. Any protest filed may be abandoned and withdrawn by written notice of such abandonment or withdrawal signed by the person who signed the protest and filed with the clerk of the legislative body at any time prior to the conclusion of the hearing. If a proceeding is terminated by the filing of a majority protest no new petition for the same purpose may be filed until the expiration of one year from the date of the finding of the legislative body that such majority protest was filed However, a new petition for a modified project may be filed at any time Said hearing may be continued from time to time at the discretion of the legislative body. At the conclusion of said hearing the legislative body may make such changes in the boundaries of the proposed district as it shall find to be proper and advisable and shall define and establish such boundaries, but said legislative body shall not modify such boundaries so as to include any territory which will not in its judgment be benefited by the proposed project, and no territory shall be excluded from the proposed district which will in the judgment of said legislative body be benefited by the proposed project.

At said hearing, the legislative body may also increase, decrease, change, or otherwise modify the acquisitions or improvements to be made, but the legislative body shall not increase, decrease, change or otherwise modify said acquisitions or improvements without first procuring from the city engineer or other competent person a supplemental report showing the effect thereof upon the estimates and other data given in the original report.

SEC 12 The legislative body shall not make any change in the boundaries of the proposed district or in the acquisitions and improvements, except after notice of its intention so to do given by two insertions in the newspaper in which the resolution of intention was published and specifying a time for hearing objections to any such proposed change, which time shall be not less than twenty (20) days after the first publication of said notice. Written objections to any proposed change may be filed with the clerk of said legislative body by any interested person at any time prior to the hour set for hearing the same Said legislative body shall hear and pass upon such objections at the time appointed or at any time to which the hearing thereof may be adjourned and its decision thereon shall be final and conclusive; provided, however, that if a majority protest is on file, as hereinbefore in this act provided, at the conclusion of the hearing, then upon the determination of said legislative body that such majority protest is on file the proceeding shall be forthwith abandoned.

At the expiration of the time within which protests may be filed, if none be filed or if protests constituting less than a majority protest are filed and after hearing are denied, or at the expiration of the time within which objections to changes, in case any

change be proposed as hereinbefore provided, may be filed, if none be filed or if such objections constituting less than a majority protest are filed and after hearing are denied as above provided, then said legislative body shall be deemed to have acquired jurisdiction to proceed further with the provisions of this act.

When the legislative body has so acquired jurisdiction to proceed further, it may adopt an ordinance declaring that said parking district is formed and describing the acquisitions and improvements to be made

SEC 13 Before issuing any bonds the legislative body shall contract for the purchase of the land, property and rights of way to be acquired, or, if all or any portion thereof cannot be acquired by contract at a price which the legislative body deems satisfactory, the legislative body shall cause an action or actions to be brought in the name of the city for the condemnation thereof and, before issuing any bonds, shall obtain an interlocutory judgment in such action or actions If after the amount to be paid for the land, property and rights of way to be acquired has been fixed by contract or by an interlocutory judgment or judgments, the legislative body finds and determines that it will not be feasible to issue bonds in an amount necessary to make the acquisitions and improvements described in the ordinance declaring the district formed and the incidental expenses in connection therewith and the proceedings therefor, after deducting any amount to be contributed by the city for such purposes, the legislative body may eliminate, change or otherwise modify any of the proposed acquisitions or improvements, after notice and hearing as provided in Section 12 hereof, and the majority protest provisions of said Section 12 shall apply.

SEC. 14 When the amount to be paid for the land, property and rights of way finally determined to be acquired has been fixed by contract or by an interlocutory judgment or judgments, the legislative body may by ordinance, resolution or indenture provide for the issuance of bonds of the district in an amount not exceeding the amount necessary to make the proposed acquisitions and improvements and to pay the incidental expenses in connection therewith and the proceedings therefor, less any amount to be contributed by the city for such purposes

The legislative body shall describe the form of bonds and of the interest coupons to be attached thereto Not less than one-twentieth part of the whole amount of such bonds shall be payable each and every year on a day and date and at a place to be fixed by the legislative body and designated in such bonds, together with interest on all sums unpaid on such date until the whole of said bonds shall have been paid; provided, however, that said legislative body may in its discretion determine and fix a date for the earliest maturity of the principal of said bonds not more than three years from the date of issue such bonds shall bear. The legislative body may make such bonds or any portion thereof callable for redemption before maturity at such time or times, at such price or prices and upon such other terms and conditions as it may determine. Any bond callable before maturity shall contain a recital to that effect The bonds shall be issued in the denomination of one thousand dollars ($1,000) each, shall be payable on the day and at the place fixed in such bonds, with interest at the rate specified in such bonds, which rate shall not be in excess of the maximum rate stated in the resolution of intention, and shall be paid semiannually except the interest for the first year may be paid at the end of said year. Said bonds shall be signed by the chief executive of the city or by such other officer thereof as the legislative body shall in said ordinance authorize and designate for that purpose and also signed by the treasurer thereof and countersigned by the clerk. The interest coupons on said bonds shall be numbered consecutively and signed by the treasurer All of the signatures on said bonds and on the interest coupons thereof may be made by printed, lithographed or engraved facsimile except the countersignature of the clerk which shall be manually affixed. In case any such officer whose signature or countersignature appears on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until the delivery of the bonds.

Each of said bonds shall state in substance that the bond together with the interest thereon is payable solely from the net revenues from the operation of the parking place or places acquired and improved with the proceeds thereof, the net revenues (or a portion thereof) from parking meters on certain public ways within the district (if such be the case), and from a limited (stating the limits) ad valorem assessment to be levied upon taxable real property in the district (if such be the case), and that neither the city nor any officer thereof is to be held otherwise liable for its principal or interest

SEC. 15 The ordinance, resolution or indenture providing for the issuance of said bonds may also provide:

(1) For the maintenance and operation of the parking facilities, for the establishment of a special fund or funds into which all revenues derived from the operation of the parking facilities shall be placed, for the payment from said fund or funds of the expenses of operating and maintaining said parking places, and for the allocation and pledge of the remaining revenues to the payment of said bonds and the interest thereon.

(2) For the installation of parking meters on the public ways within the district as provided in the resolution of intention, to the extent such meters have not already been installed, for the maintenance of meters on such public ways for the period of time specified in the resolution of intention, for the establishment of a special fund or funds into which the net revenues (or portion thereof as specified in the resolution of intention) shall be paid, and for the allocation and pledge of said net revenues, or said portion thereof, to the payment of said bonds and the interest thereon

(3) For the levy each year of an ad valorem assessment on all taxable real property in the district, to the extent to which revenues from the parking lots and from parking meters pledged to the payment of principal and interest of said bonds have been or are expected to be insufficient in any year to pay such principal and interest Such ad valorem assessment shall not exceed the limits stated in the resolution of intention Such assessment shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest, as in the case of taxes levied for the city

(4) For interest and redemption funds, sinking funds, reserve funds, and any other funds necessary or convenient for use in the payment of said bonds and the interest thereon

Said ordinance, resolution or indenture may also contain any other provisions necessary or desirable to carry out the intent and purpose of, not inconsistent with the provisions of, this act

The provisions of said ordinance, resolution, or indenture shall constitute covenants for the benefit and protection of the holders of said bonds, and any such holder may enforce the same by mandamus or other appropriate remedy Any provision of said ordinance, resolution or indenture, except a provision as to the amount or time of payment of principal or interest on the bonds, may be later eliminated or modified by the legislative body, if the holders of not less than sixty percent (60%) of the outstanding bonds have agreed in writing to such elimination or modification

SEC 16 The legislative body may issue and sell the bonds of said district at not less than the par value thereof plus accrued interest Before selling the bonds, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the legislative body determines that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale The proceeds of the sale of such bonds shall be placed in the treasury of the city to the credit of the proper district fund and shall be applied exclusively to the objects and purposes mentioned in the ordinance establishing the district (or to said objects and purposes as the same may be modified as provided in Section 13 hereof) and the payment of the incidental expenses in connection therewith Said proceeds may be used to pay the interest on said bonds during the period of construction of any parking place and for a period of six months thereafter, provided that the total period during which interest is paid from such proceeds shall not exceed three years from the date of said bonds Said bonds and the interest coupons thereof shall be negotiable instruments.

SEC 17. With the proceeds from the sale of said bonds and with any moneys which the city has agreed to contribute for the purpose, the city by and through its proper officers shall make the acquisitions and improvements finally determined upon All contracts for the construction of any improvements shall be let and entered into as other contracts are let and entered into by the city When said acquisitions and improvements have been accomplished any unexpended bond proceeds shall be placed in the fund for the payment of principal and interest of the outstanding bonds and shall be used for no other purpose

SEC 18. After the bonds and all interest thereon have been fully paid, or prior thereto to the extent permitted by express provision of the ordinance, resolution or indenture providing for the issuance of said bonds, all revenues derived from the operation of the parking facilities and not required for the operation and maintenance of such facilities, may be used for the further improvement of such facilities or for the acquisition and improvement of other parking facilities for the benefit of the district, as the parking place commission of the district may decide.

SEC 19 Whenever a district is created under this act, immediately upon the acquisition of the parking places, a parking place commission shall be appointed which shall have the powers, jurisdiction and authority granted in this act In the discretion of the legislative body, such commission may be appointed at any time prior to such acquisition and after the adoption of the ordinance declaring the district formed The commission shall consist of three members. Each commissioner shall be a resident and qualified elector of the city Members of the commission shall serve without compensation, unless the legislative body shall determine that compensation shall be paid and shall fix such compensation to be paid from funds of the city. The compensation of a commissioner shall not be increased or diminished during his term of office. Members of the commission shall be appointed by the chief executive officer of the city, subject to confirmation by the legislative body thereof.

The commissioners shall hold office for the term of three years from the date of their appointment and qualification and until their successors are appointed and qualified, except that members of the first commission appointed shall classify themselves by lot so that one member holds office for one year, one for two years, and one for three years, and, in each instance, until a successor has been appointed and qualified, provided, however, that by a four-fifths vote a commissioner may be removed by the legislative body at any time

Commissioners shall be persons of business experience and ability to the end that the affairs of the district shall be administered in the interests of the district. Whenever there is filed with the legislative body, a petition signed by the owners owning real property in the district of an assessed value of more than fifty percent (50%) of the total assessed value of the taxable real property in said district, as shown by the last equalized assessment roll, requesting the removal of a commissioner, the legislative body shall immediately remove such commissioner, and a new commissioner shall be appointed in the same manner as for other appointments. The commissioner so removed shall be ineligible to hold office as a commissioner of the district for a period of one year following his removal.

SEC. 20. All property acquired under the provisions of this act shall be condemned or acquired in the name of the city and title to such property shall be in the city but shall be held by the city subject to the provisions of the act, and the parking places acquired shall be under the possession, jurisdiction and control of the commission of the district for which the same were acquired. The commission shall operate, manage and control said parking places and shall make and enforce all necessary rules and regulations for the use thereof. It shall fix, regulate and collect rentals, fees or other charges for the parking of vehicles therein and may provide different rates for different classes of customers or users.

The providing of adequate public parking places in cities largely depends upon the formation of parking districts. Such districts will be created and will be successful only if so operated as to serve the property within the district adequately. It is the intent of this act that the owners of real property in a parking district which is created hereunder to provide parking places to solve the parking problems of the district may receive preferential rates, charges, or rentals for themselves, their tenants and the classes of persons who call upon or do business with them, all to the end that the property which bears the burden and provides a solution for the parking problem shall receive a special benefit

All parking places acquired and constructed under this act shall be public parking places; but nevertheless the commission having jurisdiction over the parking places for any district may restrict or partially restrict the use of such parking places to owners and tenants, and classes of persons designated by such owners or tenants of real property in the parking district and may establish rates or charges or rentals for the owners and tenants of such properties and classes of persons designated by such owners or tenants which differ from and are less than the rates, charges, or rentals charged other persons.

Such rentals, fees and charges shall be fixed after public hearing following such notice as the commission may prescribe It shall appoint such employees, said employees to be selected as other city employees are selected, as it deems necessary and shall have complete charge, supervision and control of all parking places acquired for the district

So far as feasible, the commission shall fix such rentals, fees or charges as will produce sufficient revenue, when added to the expected revenues from parking meters pledged to the payment of the bonds of the district, to pay the principal and interest of said bonds as the same fall due.

SEC. 21. The commission in the exercise of its power to operate, manage and control parking places as provided in Section 20 hereof, shall have the power to lease any or all of said parking places, or grant a franchise therein, to any person firm, or corporation for the sole purpose of the operation by said person, firm, or corporation of public parking facilities thereon, or may make a contract with any person, firm, or corporation for such purpose The consideration to be paid for any such lease or franchise or under any such contract by the operator may be a fixed sum or a percentage of gross rentals, fees or charges collected by the operator, or any other consideration. The maximum rentals, fees and charges to be collected by the operator shall be fixed by the board after public hearing as provided in Section 20 hereof and shall be recited in the lease or franchise, and no higher rentals, fees or charges shall be collected by the operator without amendment of said lease or franchise agreed to by the board after like public hearing Neither the commission nor any such operator shall conduct on any parking place any business other than that of the operation of public parking facilities. Any such lease or franchise may provide that the use of the parking places shall be restricted or partially restricted to owners and tenants, and classes of persons designated by such owners or tenants, of real property in the district, and may provide for maximum rates or charges or rentals for such owners or tenants and classes of persons designated by such owners or tenants which differ from and are less than the maximum rates, charges or rentals charged other persons, all as provided in Section 20 hereof.

To provide revenues for the district, the legislative body conducting the proceeding for the formation of the district, at any time prior to the formation of the district, or after the formation of the district and prior to the appointment of a commission therefor, may enter into a contract or lease with any owner or tenant of property in the district under which said owner or tenant, for a specified rental or other consideration and for a specified period not exceeding ten years, reserves a reasonable proportion or number of parking spaces in a parking place of the district, for the use of the owner of such property, the tenant or tenants thereof, the employees of any such owner or tenant performing services on such property, and the customers of, or other classes of persons designated by, such owner or tenant and entering said property as invitees or otherwise. After the appointment of a commission for the district such commission shall have the power to make such contracts or leases

SEC. 22. Notwithstanding any agreement made pursuant to the provisions of this act, as a covenant to bondholders or otherwise, to maintain parking meters on specified public ways in the district, parking meters need not be maintained:

(1) On any public way which has become a "freeway" or a "state highway" as said terms are defined in Sections 23.5 and 24 of the Streets and Highways Code.

(2) At any time and so long as (a) the net revenues from the parking places of the district during each of the two next previous fiscal years and available for the payment of principal and interest on the bonds of the district equaled or exceeded one and one-half times the principal and interest which has or will come due during the current fiscal year, and (b) the money in the fund to pay principal and interest on said bonds equals or exceeds all amounts coming due on principal and interest during the next following 12 months.

(3) At any time and so long as the money in the fund to pay principal and interest on the bonds of the district equals the total of the outstanding bonds and interest thereon to maturity.

(4) At any time after the bonds of said district and the interest thereon have been fully paid.

(5) On a public way or portion thereof, if the holders of not less than sixty percent (60%) of the outstanding bonds have agreed in writing that the maintenance of parking meters on said public way or portion thereof may be discontinued.

Any agreement to maintain parking meters on a public way shall not affect the right of a city, acting by virtue of its police power, to control, regulate or prohibit the parking of vehicles on any public way or portion thereof to the extent necessary to protect the public safety.

SEC. 23. This act shall not affect any other act or law relating to the same or a similar subject but is intended to provide an alternative method of procedure governing the subject to which it relates. When proceeding under the provisions of this act, its provisions and none other shall apply. The provisions of this act shall be liberally construed to effect the purposes thereof. No territory included within a parking district formed under the provisions of this act shall be included within any other such parking district or any vehicle parking district formed under any law of this State.

SEC. 24. No proceedings taken or bond issued under this act shall be held invalid for failure to comply with the provisions hereof; provided, the acts done and proceedings taken are not invalid under the provisions of the State or Federal Constitutions. Any procedure not herein expressly set forth but deemed necessary or convenient to carry out any of the purposes of this act is hereby authorized. This act shall be liberally construed. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional.

SEC. 25. Any charter city using the provisions of this act may by ordinance modify the procedure specified by this act, provided that such modified procedure is not invalid under the State or Federal Constitutions or the charter of said city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2858—An act to amend Section 5471 of, and to add Sections 5474 and 5476 to, the Health and Safety Code, relating to the financing of sanitation and sewerage systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of said title, strike out "5476 to," and insert

"An act to add Section 4665.5 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4665.5 is added to the Health and Safety Code to read:

4665.5. As an alternate or supplemental method of raising the money to carry out the provisions of this chapter the board of supervisors may fix and collect use taxes, fees, tolls or charges for the use of facilities or lines maintained or operated by the district sufficient in amount to pay for the expenses, or a portion thereof, of the district in maintaining, operating, and repairing any works, lines, or improvements of the district and to defray all other expenses incidental to the exercise of any of the district's powers, including a sufficient amount of money, or a portion thereof, to pay to any city whose sewers shall be connected with pursuant to this chapter, the amount fixed as charges for the privilege of connecting with the city sewerage system or having the city maintain the sewer lines in the streets and public easements."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3291—An act to amend Section 30817 of the Water Code, relating to appointments in lieu of election in county water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 30817 of the Water Code, relating to appointments in lieu of election in", and insert "validate the organization of a".

Amendment No. 2

In line 2 of the title of said bill, strike out "districts", and insert "district".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. The West Side County Water District is hereby declared to be a properly formed and legally organized county water district under the County Water District Law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2275—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, lines 3 and 4, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "all or any part of the unincorporated territory of a county", and insert "150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside".

Amendment No. 2

On page 2, line 11, of said bill, strike out "if the district contains 500 or more registered voters,".

Amendment No. 3

On page 2, line 15, of said bill, strike out ", if the district contains less than 500 voters".

Amendment No. 4

On page 3 of said bill, strike out lines 17, 18, and 19, and insert "proposed district,".

Amendment No. 5

On page 3 of said bill, strike out lines 23 to 27, inclusive, and insert "trict."

Amendment No. 6

On page 4 of said bill, strike out lines 1 to 3, inclusive, and insert

"60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district."

Amendment No. 7

On page 4, line 16, of said bill, after "basis", insert ", and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district."

Amendment No. 8

On page 4, line 17, of said bill, after "contract," insert "on an annual basis".

Amendment No. 9

On page 4 of said bill, strike out lines 21 to 26, inclusive, and insert "urban district or urban districts, of all such urban services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district. All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors."

Amendment No. 10

On page 4, line 34, of said bill, after "required", insert "; provided that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system sofar as practicable."

Amendment No. 11

On page 4, line 40, of said bill, strike out "the district", and insert "a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof."

Amendment No. 12

On page 6 of said bill, between lines 7 and 8, insert

"60559. If there are less than 300 residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized Each selectman so appointed shall serve for a term of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment. The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment Thereafter vacancies on the board shall be filled by appointment by the board of supervisors."

Amendment No. 13

On page 6 of said bill, strike out lines 20 to 52, inclusive; and on page 7, strike out lines 1 to 7, inclusive, and insert

"60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction

60564 The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, sub-divisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the the district

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year, and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget."

Amendment No. 14

On page 7, line 28, of said bill, strike out "10", and insert "5".

Amendment No. 15

On page 7, line 30, of said bill, strike out "10", and insert "5"

Amendment No. 16

On page 9, lines 11 and 12, of said bill, strike out "if the district contains 500 or more registered voters".

Amendment No. 17

On page 9, lines 16 and 17, of said bill, strike out "if the district contains less than 500 registered voters"

Amendment No. 18

On page 10, line 21, of said bill, after "No", insert "portion of the".

Amendment No. 19

On page 10 of said bill, after line 24, insert

"60602. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise,

and all property, both real and personal, owned by the district shall become the property of the city in which the district is located."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3122—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof," approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, lines 11 and 12, of the printed bill, strike out "without regard to fiscal years", and insert "until June 30, 1954".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4, line 51, of the printed bill, strike out "temporarily".

Amendment No. 2

On page 4, line 52, of said bill, strike out "permanently".

Amendment No. 3

On page 5 of said bill, strike out lines 15 to 51, inclusive.

Amendment No. 4

On page 6, line 1, of said bill, strike out "(b)", and insert "5665"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "structures", and insert "works".

Amendment No. 2

On page 1, line 16, of said bill, strike out "facilities", and insert "works".

Amendment No. 3

On page 2, line 2, of said bill, after "any", insert "construction".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1426—An act providing for the constitution of the municipal court in a district embracing the City of Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 3, 1951, after "court", insert "established in the City of Pasadena and".

Amendment No. 2

On page 1, line 1, of said bill, after "established", insert "in the City of Pasadena and".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 12, inclusive, and insert "thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;".

Amendment No. 4

On page 1 of said bill, strike out lines 14 and 15, and insert "of the court, who shall receive six hundred sixty dollars ($660) monthly;".

Amendment No. 5

On page 1 of said bill, strike out lines 18 to 23, inclusive, and insert
"One chief deputy clerk, who shall receive five hundred dollars ($500) monthly;".

Amendment No. 6

On page 2 of said bill, strike out lines 2 to 6, inclusive, and insert "whom shall receive four hundred dollars ($400) monthly;".

Amendment No. 7

On page 2 of said bill, strike out lines 7 to 32, inclusive, and insert
"Four deputy clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;
Four deputy clerks, each of whom shall receive three hundred dollars ($300) monthly;
Four deputy clerks, each of whom shall receive three hundred dollars ($300) monthly;
Four deputy clerks, each of whom shall receive two hundred seventy-five dollars ($275) monthly;
(d) There shall be one marshal to be appointed by the judges of the court who shall receive six hundred sixty dollars ($660) monthly;".

Amendment No. 8

On page 3 of said bill, strike out lines 9 to 13, inclusive, and insert "for keeping property."

Amendment No. 9

On page 3 of said bill, strike out lines 24 to 50, inclusive; and on page 4, strike out lines 1 to 5, inclusive.

Amendment No. 10

On page 4, line 6, of said bill, strike out "(h)", and insert "(g)".

Amendment No. 11

On page 4, line 15, of said bill, strike out "(i)", and insert "(h)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 1816—An act to validate the acts and proceedings taken by or on behalf of fire protection districts in unincorporated territory.

Bill read second time, and ordered to third reading.

Senate Bill No. 60—An act to add Section 3102.5 to the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 233—An act to amend Section 13551 and to repeal Section 13552 of the Government Code, relating to prices to be charged for state printing.

Bill read second time, and ordered to third reading.

Senate Bill No. 291—An act to increase the statutory salaries and statutory compensation of state officers and employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 414—An act to amend Sections 15000, 15004, 15154, 15254, 16900, 16906, 16950, 16953, 16959, 17000, 17001, 17080, and 17088 of, to add Sections 15004.2, 15151.3, 15159, 15160, 16161, 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080.3 and 17085.5 to, and to repeal Sections 16951, 16952, 16954, 16955, 16956, 16958, 17081, 17082, 17083, 17084, 17086, and 17087, and Articles 2, 3, and 4 of Chapter 22 of Part 1 of Division 13 of, the Health and Safety Code, relating to health and safety requirements for housing.

Bill read second time, and ordered to third reading.

Senate Bill No. 896—An act to repeal Section 8968 of the Business and Professions Code, relating to moneys in the Yacht and Ship Brokers Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 1210—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Bill read second time, and ordered to third reading.

Senate Bill No. 184—An act to amend Section 457 of the Education Code, relating to county school superintendents' salaries and qualifications in counties of its fifty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in special Revolving Funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on April 13, 1951, after "shall", insert "either within three months after completion of the project for which such portion was transferred or".

Amendment No. 2

On page 2, line 10, of said bill, after "therein", insert ", whichever is the earlier,".

Amendment No. 3

On page 2 of said bill, between lines 16 and 17, insert

"For the purpose of this section an estimate, prepared by the Division of Architecture upon receipt of bids, of the amount required for supervision, engineering, and other items, if any, necessary for the completion of a project on which a construction contract has been awarded shall be deemed a valid encumbrance and be included with any other valid encumbrances in determining the amount of an unencumbered balance."

Amendment No. 4

In line 2 of the title of said bill, strike out "and Section 2714 of the Penal Code".

Amendment No. 5

On page 3 of said bill, strike out all of lines 1 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 70—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate on March 28, 1951, strike out "adequate".

Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert

"Parcel 5. Situated in the County of Alameda, State of California, more particularly described in that certain trustee's deed dated May 25, 1950, between Bank of America National Trust and Savings Association, as trustee under the last will

and testament of Edward Frank, deceased, as party of the first part, and the State of California as party of the second part, recorded July 3, 1950, in Book 6154, Page 198, Official Records of Alameda County, California.

Parcel 6. The west 20 feet of the south half of the east half of Lot 6, in the block bounded by "L" and "M", Eighth and Ninth Streets of the City of Sacramento, according to the official map or plan of said city.

Parcel 7. The east 20 feet of the south half of the east half of Lot 6, in the block bounded by "L" and "M", Eighth and Ninth Streets of the City of Sacramento, according to the official map or plan of said city.

Parcel 8. The west half of the south half of Lot 5, in the block bounded by "L" and "M", Eighth and Ninth Streets, of the City of Sacramento, as shown on the official map or plan of said city."

Amendment No. 3

On page 2, line 9, of said bill, strike out "adequate".

Amendment No. 4

On page 3, line 18, of said bill, strike out "and for approximately equal".

Amendment No. 5

On page 3, line 19, of said bill, strike out "value".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 744—An act to amend Sections 11005, 13370, and 18004 of the Government Code, relating to approval powers of the Director of Finance or the Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 18, of the printed bill, after "building", insert "or (3) to contracts entered into under the authority of Chapter 4 of Part 3 of Division 2 of the Insurance Code".

Amendment No. 2

On page 2, line 15, of the printed bill, after "Legislature", insert ", nor to any contract entered into under the authority of Chapter 4 of Part 3 of Division 2 of the Insurance Code".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 916—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5003", and insert "Sections 5003 and 5006.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, following line 20, insert

"SEC. 2. Section 5006.5 of the Public Resources Code is amended to read:

5006.5. The State Park Commission, with the consent of [the Governor and] the Department of Finance, may lease any interest in real property which the commission

deems necessary or proper for the extension, improvement, or development of the State Park System. No payment from state money in excess of one thousand dollars ($1,000) a year shall be made pursuant to any such lease unless and until money equal to or exceeding one-half of the excess over one thousand dollars ($1,000) shall have been made available for expenditure by the State for the purpose by some person, corporation, public district, municipality or political subdivision other than the State, or by the United States or an agency thereof.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 939—An act to amend Section 692.5 of the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 21, 1951, strike out lines 2, 3, and 4, and insert "tions 8361 and 8678 of the Water Code, relating to Flood Control, in respect to the Sacramento River Flood Control Project and the powers of the Reclamation Board over the use of real property."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 14, insert

"SEC. 3. Section 8361 of said Code is amended to read:

8361. The department, acting by and through the State Engineer, shall maintain and operate on behalf of the State the following units or portions of the works of the Sacramento River Flood Control Project, and the cost of such maintenance and operation shall be defrayed by the State.

(a) The east levee of the Sutter By-pass north of Nelson Slough.

(b) The levees and channels of the Wadsworth Canal, *Willow Slough Channel downstream from the Southern Pacific Railroad from Davis to Woodland except that portion of the north levee thereof lying within Reclamation District No. 2035, Putah Creek downstream from Winters*, the intercepting canals draining into [it] *them*, and all structures incidental thereto.

(c) The collecting canals, sumps, pumps and structures of the drainage system of Project No. 6 east of the Sutter By-pass.

(d) The by-pass channels of the Butte Slough By-pass, the Sutter By-pass, the Tisdale By-pass, the Yolo By-pass and the Sacramento By-pass with all cuts, canals, bridges, dams, and other structures and improvements contained therein and in the borrow pits thereof.

(e) The levees of the Sacramento By-pass.

(f) The channels and overflow channels of the Sacramento River and its tributaries within the Sacramento and San Joaquin Drainage District.

(g) The Knights Landing ridge cut flowage area.

(h) The flood relief channels controlled by the Moulton and Colusa Weirs and the training levees thereof.

(i) The levee on the left bank of the Sacramento River adjoining Butte Basin, from the Butte Slough outfall gates upstream to a point four miles northerly from the Moulton Weir, after completion.

(j) All weirs and relief structures.

(k) The west levee of the Yolo By-pass, extending from the west end of the Fremont Weir southerly to the Cache Creek Settling Basin *and from Willow Slough Channel to Putah Creek* and the east levee of the Yolo By-pass from Fremont Weir southerly two miles.

(l) The levee on the west bank of Feather River extending a distance of about two miles southerly from the Sutter-Butte Canal headgate.

(m) The levees of Cache Creek and the easterly and westerly levees of Cache Creek settling basin.

Amendment No. 3

On page 1, line 15, of said bill, strike out "SEC 3.", and insert "SEC. 4."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 16, 1951, strike out all after the comma, and insert "provided that the use to which such property will be put, after construction thereon, is consistent with the use or purposes contemplated upon the original acquisition of such property or to which such property has been dedicated."

Amendment No. 2

On page 1 of said bill, strike out line 8.

Amendment No. 3

On page 1, line 9, of said bill, strike out "to any particular use or purpose"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1591—An act to add Section 144.15 to the Welfare and Institutions Code, relating to public assistance in respect to real property owned by applicants at the time of application therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Senate on May 1, 1951, after the period, insert "The county may give such consent whenever it determines that the purposes of the law governing the form of public assistance for which the owner of the real property has applied or which he has received will be served thereby."

Amendment No. 2

On page 2, line 4, of said bill, after "ineligible", insert "to receive any public assistance".

Amendment No. 3

On page 2, line 7, of said bill, after "sold", insert "for a reasonable consideration".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 19, 1951, after line 13, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Controller is in possession of 500 file cases of records which come within the provisions of this act allowing their destruction. The Controller has no storage space for them and they are impeding the functioning of that office. The Controller is about to turn over the files to the Secretary of State who is similarly without space and would be similarly impeded in the functioning of his office unless the authority to destroy these records is given by immediate effect of this act."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Elliott to withdraw Assembly Bill No. 2251 from committee was continued until the next legislative day.

NOTICES OF MOTIONS TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1883 was passed, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 302 Hold Place on File

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1642 Hold Place on File

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1642 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1985 Hold Place on File

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 1985 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 2573—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Bill read third time.

Motion to Amend

Mr. McFall moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 28, 1951, strike out lines 4 to 6, inclusive, and insert

"216 Water rights shall be assessed only as a part of the land and improvements benefited thereby."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—Cloyed—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 52—An act to amend Section 7420 of, and to add Section 7421 to the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—61.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2599

Mr. Stewart asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2599, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and amend Section 6 of the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2599?

Amendment No. 1

On page 1 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out line 2, and insert "to, and to amend Section 6 of, the Metropolitan".

Amendment No. 2

On page 1, lines 15 and 16, of said bill, as amended, strike out ", or are purchased upon tenders, pursuant to notice inviting such tenders", and insert "(including any premium required to call such bonds)".

Amendment No. 3

On page 2, lines 1 to 3, inclusive, of said bill, as amended, strike out "The issuance of refunding bonds under this section shall not be construed as incurring or increasing indebtedness within the meaning of this act and approval", and insert "Approval".

Amendment No. 4

On page 2, line 17, of said bill, as amended, strike out "held concurrently", and insert "consolidated".

Amendment No. 5

On page 2, line 19, of said bill, as amended, strike out "or may be consolidated therewith".

Amendment No. 6

On page 2, line 26, of said bill, as amended, strike out "called to be held concurrently", and insert "consolidated".

Amendment No. 7

On page 2, line 28, of said bill, as amended, strike out "or shall be consolidated therewith".

Amendment No. 8

On page 2, line 31, of said bill, as amended, after "but", insert "shall provide that the precincts, polling places and officers of election shall be the same as those provided for such other election and".

Amendment No. 9

On page 2, line 32, of said bill, as amended, strike out "calling such other election and".

Amendment No. 10

On page 2, line 33, of said bill, as amended, strike out "therefor", and insert "for such other election".

Amendment No. 11

On page 2, line 36, of said bill, as amended, strike out "and in such event the notice of such other"; and strike out lines 37 to 40, inclusive; and in line 41, strike out "section (b)", and insert "for the precincts, polling places and names of the officers of election".

Amendment No. 12

On page 2, lines 43 and 44, of said bill, as amended, strike out "calling such other election".

Amendment No. 13

On page 2, line 45, of said bill, as amended, strike out ", and the notice of such other election posted or"; and strike out lines 46 to 48, inclusive; and in line 49, strike out "hereunder".

Amendment No. 13½

On page 3, lines 2 and 3, of said bill, as amended, strike out "except as provided in this subsection (b)".

Amendment No. 14

On page 3, lines 3 to 5, inclusive, of said bill, as amended, strike out ", or publication of the names of election officers, or of the precincts or polling places".

Amendment No. 15

On page 3, lines 7 and 8, of said bill, as amended, strike out "held concurrently with such other election or consolidated therewith", and insert "consolidated with another election".

Amendment No. 16

On page 3, line 29, of said bill, as amended, strike out "seven", and insert "fourteen.(14)".

Amendment No. 17

On page 3 of said bill, as amended, strike out lines 34 to 37, inclusive, and insert "In the event that any election held hereunder shall be consolidated with another election, the proposition submitted pur-".

Amendment No. 18

On page 3, line 39, of said bill, as amended, after the comma, insert "and".

Amendment No. 19

On page 3, line 42, of said bill, as amended, after "bodies", insert "or officers".

Amendment No. 20

On page 3, line 46, of said bill, as amended, after "bodies", insert "or officers".

Amendment No. 21

On page 3, line 50, of said bill, as amended, strike out "tabulate", and insert "record".

Amendment No. 22

On page 4, line 7, of said bill, as amended, strike out "bill", and insert "act".

Amendment No. 23

On page 4, line 12, of said bill, as amended, strike out "a", and insert "A".

Amendment No. 24

On page 4, lines 13 and 14, of said bill, as amended, strike out "one-fiftieth (1/50)", and insert "one-fortieth (1/40)".

Amendment No. 25

On page 4, line 15, of said bill, as amended, after "thereof", insert a comma.

Amendment No. 26

On page 4 of said bill, as amended, strike out lines 18 to 24, inclusive, and insert "date."

Amendment No. 27

On page 4, line 37, of said bill, as amended, strike out "Such provisions shall be set forth", and insert "If the bond is callable, that fact shall be noted".

Amendment No. 28

On page 4, line 43, of said bill, as amended, strike out "Interest on such refund-"; and strike out line 44, and insert "Interest on any refunding bond called for redemption shall cease after the date fixed for redemption if moneys for such redemption are in the fund provided therefor."

Amendment No. 29

On page 5, line 15, of said bill, as amended, strike out "or purchase upon"; and strike out lines 16 to 19, inclusive; and in line 20, strike out "cipal place of business of the district".

Amendment No. 30

On page 6 of said bill, as amended, strike out line 10, and insert "the issuance of such refunding bonds, or division or series thereof, no action"

Amendment No. 31

On page 9, line 25, of said bill, as amended, strike out "other", and insert "of the".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2599 by the following vote:

AYES—Brady, Crowley, Hollibaugh, Lanterman, Lipscomb, Maloney, Niehouse, Porter, and Waters—9.

NOES—Babbage, Belotti, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Levering, Lincoln, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—53.

Appointment of Committee on Conference Concerning Assembly Bill No. 2599

The Speaker announced the appointment of Messrs Stewart, Waters, and Porter as a Committee on Conference concerning Assembly Bill No. 2599.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1806

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 295
Assembly Bill No. 382
Assembly Bill No. 2545

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 295 and 2545 re-referred to the Committee on Agriculture.

Assembly Bill No. 382 re-referred to the Committee on Fish and Game.

Senate Bills Nos. 954 and 1634 re-referred to the Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3217

Mr. Lanterman asked for, and was granted, unanimous consent to take up Assembly Bill No. 3217, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3217

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "adequate", and insert "equitable".

Amendment No. 2

On page 3, line 46, of said bill, strike out "multiple", and insert "special".

Amendment No. 3

On page 3, line 47, of said bill, strike out "throughout the", and insert "in many counties of the".

Amendment No. 4

On page 4, line 5, of said bill, strike out "persons and", and after "from", strike out "the".

Amendment No. 5

On page 4, line 6, of said bill, strike out "fund", and insert "funds".

Amendment No. 6

On page 4, line 12, of said bill, after the first "the", insert "special".

Amendment No. 7

On page 4, line 15, of said bill, after "for such", insert "special".

Amendment No. 8

On page 4, line 18, of said bill, after "provide", insert "an".

Amendment No. 9

On page 4, line 19, of said bill, strike out "methods", and insert "method".

Amendment No. 10

On page 4, line 21, of said bill, after "benefited", strike out "persons and"; and after "establish", insert "a".

Amendment No. 11

On page 4, line 22, of said bill, strike out "procedures", and insert "procedure".

Amendment No. 12

On page 4, line 28, of said bill, strike out "March 31", and insert "January 1"

Amendment No. 13

On page 4, line 29, of said bill, after "county", insert "after public hearing".

Amendment No. 14

On page 4, line 32, of said bill, after "urban", insert "when both of the following conditions are present".

Amendment No. 15

On page 4, line 33, of said bill, after "the", strike out "established or rapidly developing type of".

Amendment No. 16

On page 4, line 38, of said bill, after "use", strike out "and the degree and density of development are", and insert "is".

Amendment No. 17

On page 4, line 40, of said bill, after "nature", strike out "and extent of such development requires", and insert "of land use and density of development requires special".

Amendment No. 18

On page 4, line 41, of said bill, after "services", strike out "commonly provided within cities, because of"; and in line 42, strike out "population and land use density, which services are".

Amendment No. 19

On page 4, line 43, of said bill, after "rural", strike out "agri-"; and in line 44, strike out "cultural".

Amendment No. 20

On page 4, line 45, of said bill, after "All", strike out "unincorporated areas of", and insert "real property in".

Amendment No. 21

On page 4, line 49, of said bill, after "area", insert "in which the property is situated".

Amendment No. 22

On page 4, line 51, of said bill, after "aries of", insert ", and contiguous to improved property in".

Amendment No. 23

On page 4, line 52, of said bill, strike out "take into account whether the present or immediately", and insert "classify such unimproved real property as urban if it has been subdivided into parcels of 22,000 square feet or less Otherwise such unimproved property shall be classified as rural."

Amendment No. 24

On page 5 of said bill, strike out lines 1 and 2.

Amendment No. 25

On page 5 of said bill, strike out lines 3 to 28, inclusive, and insert

"25264 "Urban services" are those governmental services which cities of the sixth class are authorized by law to provide within their territorial limits, and which counties are also authorized by law to provide within their territorial limits. "Special urban services", as that term is used in this chapter, shall mean those urban services which are provided by a county:

(a) Only in the urban unincorporated area or areas of the county, and not within cities or the rural areas of the county; or

(b) Only in the unincorporated area of the county to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; or

(c) In all areas of the county, including cities, to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; provided, that in determining the standard of urban service provided in the rural areas of the county, the standard shall be increased by the amount of direct financial contribution to the same urban service within all cities in the county."

Amendment No. 26

On page 5, line 29, of said bill, strike out "July 1, 1953," and insert "January 1, 1954, except as provided in Section 25267".

Amendment No. 27

On page 5, line 31, of said bill, before "urban", insert "special".

Amendment No. 28

On page 5, line 31, of said bill, after "county", insert "in such areas".

Amendment No. 29

On page 5, line 31, of said bill, strike out "March 31," and insert "January 1,".

Amendment No. 30

On page 5, line 33, of said bill, strike out "in the manner above pro-"; and in line 34, strike out "vided the extent and cost of urban", and insert "the cost of special urban".

Amendment No. 31

On page 5 of said bill, after line 39, insert

"25266. "costs, direct and indirect", as used in this chapter means the total of all expenditures made by a county in providing special urban services, including, but not limited to the following items:

(a) Salaries of officers, employees and agents, including contributions made to pension or retirement plans or systems if any;

(b) Supplies and furnishings;

(c) That proportion of the general county administrative expense which is attributable to the provision of special urban services;

(e) The fair rental value of county buildings and equipment used in the provision of special urban services, or that proportion of the fair rental value of such buildings or equipment which is attributable to the provisions of special urban services.

25267. In any case where, after public hearing, the board of supervisors determines that an urban unincorporated area is unable to pay the cost of special urban services being provided in such area, and the provision of such services is necessary to the health or safety of the county as a whole, it may by resolution adopted by a four fifths vote of its members, declare such area a "Special Urban Service Relief Zone", and may thereafter contribute not to exceed fifty percent (50%) of the costs of such special urban services rendered in such area from general funds of the county.

25268. At any time before July 1, 1952, the board of supervisors may make a preliminary determination that there are no urban unincorporated areas in the county

or that no special urban services are provided by the county to urban unincorporated areas. The board shall then give notice of a public hearing to be held for the purpose of considering such preliminary determination. If, at such hearing, the board determines by resolution adopted by a four-fifths vote of its members that there are no urban unincorporated areas in the county or that no special urban services are provided such areas by the county, the county need not further comply with this chapter until such time as the county provides special urban services to an urban unincorporated area or areas within the county."

Amendment No. 32

On page 5, line 43, of said bill, before "URBAN", insert "SPECIAL".

Amendment No. 33

On page 5, line 45, of said bill, after "upon", strike out "persons"; and in line 46, strike out "and".

Amendment No. 34

On page 5, line 47, of said bill, strike out "an", and insert "a special".

Amendment No. 35

On page 5, line 52, of said bill, strike out "an", and insert "a special".

Amendment No. 36

On page 6, line 18, of said bill, after "establish", insert "special".

Amendment No. 37

On page 6, line 19, of said bill, after "of", insert "special".

Amendment No. 38

On page 6, line 22, of said bill, after "of", insert "special".

Amendment No. 39

On page 6 of said bill, strike out lines 41 to 44, inclusive, and insert

"25276. The board may establish the entire unincorporated area or areas of the county as a single special".

Amendment No. 40

On page 6 of said bill, strike out lines 46 to 51, inclusive; and on page 7, strike out lines 1 and 2, and insert

"25277. The board may establish more than one special urban service zone to correspond with special urban services provided in such zones."

Amendment No. 41

On page 7, line 9, of said bill, after "in", insert "special".

Amendment No. 42

On page 7, line 11, of said bill, after "of the", insert "special".

Amendment No. 43

On page 7, line 17, of said bill, after "the", insert "special".

Amendment No. 44

On page 7, line 19, of said bill, after "official", insert "special".

Amendment No. 45

On page 7, line 21, of said bill, after "city", strike out ", urban"; and in line 22, strike out "district".

Amendment No. 46

On page 7, line 24, of said bill, before "urban", insert "special".

Amendment No. 47

On page 7, line 29, of said bill, after "February", insert "As a part of its annual county budget hearings the board shall consider the requests of residents and property owners in special urban service zones for the provision by the county of additional special urban services or higher standards of service as well as requests for discontinuance or lower standards of service."

Amendment No. 48

On page 7, line 30, of said bill, strike out "an", and insert "a special".

Amendment No. 49

On page 7, line 33, of said bill, after "tax", insert ", at a rate not to exceed one dollar ($1) on each one hundred dollars ($100) of assessed value,".

Amendment No. 50

On page 7, line 34, of said bill, after "each", insert "special".

Amendment No. 51

On page 7, line 35, of said bill, after "of", insert "special".

Amendment No. 52

On page 7, line 39, of said bill, strike out "an", and insert "a special".

Amendment No. 53

On page 7, line 41, of said bill, after "All", insert "special".

Amendment No. 54

On page 7, line 42, of said bill, after "taxes", insert ", other than delinquent taxes,".

Amendment No. 55

On page 7 of said bill, strike out lines 44 to 49, inclusive.

Amendment No. 56

On page 8, line 1, of said bill, strike out "25284", and insert "25283".

Amendment No. 57

On page 8, line 4, of said bill, strike out "an", and insert "a special".

Amendment No. 58

On page 8, line 7, of said bill, after "of", insert "special".

Amendment No. 59

On page 8 of said bill, strike out lines 11 to 52, inclusive; and strike out all of pages 9, 10, 11, 12, 13, 14, 15, and 16.

Amendments read.

Motion That Assembly Bill No. 3217 Be Withdrawn From File, and Be Re-referred

Mr. Lanterman moved that Assembly Bill No. 3217 be withdrawn from the second reading file, with proposed committee amendments, and be re-referred to the Committee on Municipal and County Government.

Mr. Beck seconded the motion.

Substitute Motion

Mr Beck moved, as a substitute motion, that the amendments to Assembly Bill No. 3217, as proposed by the Committee on Municipal and County Government, be adopted, and that the bill be then re-referred to the Committee on Municipal and County Government

Mr. Munnell seconded the substitute motion.

Point of Order

Mr. Dolwig arose to the following point of order: That because Mr. Beck's substitute motion is a compound motion, it is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Expunge Record and Rescind Action on Motion by Mr. Lanterman

Mr. Kirkwood moved to expunge the record, and rescind the action whereby the Assembly, at this time, has before it a motion by Mr. Lanterman.

Mr. Lowrey seconded the motion.

Point of Order

Mr. Dolwig arose to the following point of order: That, as there is no record to expunge, the motion by Mr. Kirkwood is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Substitute Motion Renewed

Mr. Beck renewed his substitute motion and asked for a division of the question.

Ruling by Speaker

Speaker Sam L. Collins ruled that, pursuant to provisions of the order of business, in a division of the question, the motion to re-refer Assembly Bill No. 3217 to committee must be first considered, and the consideration of the proposed amendments must then be the next question.

Division of the Question

The question being on the substitute motion by Mr. Beck to withdraw Assembly Bill No. 3217 from the second reading file, and re-refer it to the Committee on Municipal and County Government.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Beck, Belotti, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dunn, Grunsky, Hagen, Hansen, Lanterman, Levering, Lowrey, McGee, Moss, Munnell, Porter, Rosenthal, and Thomas—22.

NOES—Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Dolwig, Doyle, Erwin, Evans, Geddes, Grant, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Morris, Niehouse, Parker, Rumford, Shaw, Stanley, Stewart, and Mr. Speaker—36.

The question being on the adoption of the proposed committee amendments.

Consideration of Committee Amendments

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "adequate", and insert "equitable".

Amendment No. 2

On page 3, line 46, of said bill, strike out "multiple", and insert "special".

Amendment No. 3

On page 3, line 47, of said bill, strike out "throughout the", and insert "in many counties of the".

Amendment No. 4

On page 4, line 5, of said bill, strike out "persons and", and after "from", strike out "the".

Amendment No. 5

On page 4, line 6, of said bill, strike out "fund", and insert "funds".

Amendment No. 6

On page 4, line 12, of said bill, after the first "the", insert "special".

Amendment No. 7

On page 4, line 15, of said bill, after "for such", insert "special".

Amendment No. 8

On page 4, line 18, of said bill, after "provide", insert "an".

Amendment No. 9

On page 4, line 19, of said bill, strike out "methods", and insert "method".

Amendment No. 10

On page 4, line 21, of said bill, after "benefited", strike out "persons and"; and after "establish", insert "a".

Amendment No. 11

On page 4, line 22, of said bill, strike out "procedures", and insert "procedure".

Amendment No. 12

On page 4, line 28, of said bill, strike out "March 31", and insert "January 1"

Amendment No. 13

On page 4, line 29, of said bill, after "county", insert "after public hearing".

Amendment No. 14

On page 4, line 32, of said bill, after "urban", insert "when both of the following conditions are present".

Amendment No. 15

On page 4, line 33, of said bill, after "the", strike out "established or rapidly developing type of".

Amendment No. 16

On page 4, line 38, of said bill, after "use", strike out "and the degree and density of development are", and insert "is".

Amendment No. 17

On page 4, line 40, of said bill, after "nature", strike out "and extent of such development requires", and insert "of land use and density of development requires special".

Amendment No. 18

On page 4, line 41, of said bill, after "services", strike out "commonly provided within cities, because of"; and in line 42, strike out "population and land use density, which services are".

Amendment No. 19

On page 4, line 43, of said bill, after "rural", strike out "agri-"; and in line 44, strike out "cultural".

Amendment No. 20

On page 4, line 45, of said bill, after "All", strike out "unincorporated areas of", and insert "real property in".

Amendment No. 21

On page 4, line 49, of said bill, after "area", insert "in which the property is situated".

Amendment No. 22

On page 4, line 51, of said bill, after "aries of", insert ", and contiguous to improved property in".

Amendment No. 23

On page 4, line 52, of said bill, strike out "take into account whether the present or immediately", and insert "classify such unimproved real property as urban if it has been subdivided into parcels of 22,000 square feet or less. Otherwise such unimproved property shall be classified as rural."

Amendment No. 24

On page 5 of said bill, strike out lines 1 and 2.

Amendment No. 25

On page 5 of said bill, strike out lines 3 to 28, inclusive, and insert

"25264. "Urban services" are those governmental services which cities of the sixth class are authorized by law to provide within their territorial limits, and which counties are also authorized by law to provide within their territorial limits. "Special urban services", as that term is used in this chapter, shall mean those urban services which are provided by a county:

(a) Only in the urban unincorporated area or areas of the county, and not within cities or the rural areas of the county; or

(b) Only in the unincorporated area of the county to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; or

(c) In all areas of the county, including cities, to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; provided, that in determining the standard of urban service provided in the rural areas of the county, the standard shall be increased by the amount of direct financial contribution to the same urban service within all cities in the county."

Amendment No. 26

On page 5, line 29, of said bill, strike out "July 1, 1953," and insert "January 1, 1954, except as provided in Section 25267".

Amendment No. 27

On page 5, line 31, of said bill, before "urban", insert "special".

Amendment No. 28

On page 5, line 31, of said bill, after "county", insert "in such areas".

Amendment No. 29

On page 5, line 31, of said bill, strike out "March 31," and insert "January 1,".

Amendment No. 30

On page 5, line 33, of said bill, strike out "in the manner above pro-"; and in line 34, strike out "vided the extent and cost of urban", and insert "the cost of special urban".

Amendment No. 31

On page 5 of said bill, after line 39, insert

"25266. "costs, direct and indirect", as used in this chapter means the total of all expenditures made by a county in providing special urban services, including, but not limited to the following items.

(a) Salaries of officers, employees and agents, including contributions made to pension or retirement plans or systems if any;

(b) Supplies and furnishings;

(c) That proportion of the general county administrative expense which is attributable to the provision of special urban services;

(e) The fair rental value of county buildings and equipment used in the provision of special urban services, or that proportion of the fair rental value of such buildings or equipment which is attributable to the provisions of special urban services

25267. In any case where, after public hearing, the board of supervisors determines that an urban unincorporated area is unable to pay the cost of special urban services being provided in such area, and the provision of such services is necessary to the health or safety of the county as a whole, it may by resolution adopted by a four fifths vote of its members, declare such area a "Special Urban Service Relief Zone", and may thereafter contribute not to exceed fifty percent (50%) of the costs of such special urban services rendered in such area from general funds of the county.

25268. At any time before July 1, 1952, the board of supervisors may make a preliminary determination that there are no urban unincorporated areas in the county or that no special urban services are provided by the county to urban unincorporated areas. The board shall then give notice of a public hearing to be held for the purpose of considering such preliminary determination If, at such hearing, the board determines by resolution adopted by a four-fifths vote of its members that there are no urban unincorporated areas in the county or that no special urban services are provided such areas by the county, the county need not further comply with this chapter until such time as the county provides special urban services to an urban unincorporated area or areas within the county."

Amendment No. 32

On page 5, line 43, of said bill, before "URBAN", insert "SPECIAL".

Amendment No. 33

On page 5, line 45, of said bill, after "upon", strike out "persons"; and in line 46, strike out "and".

Amendment No. 34

On page 5, line 47, of said bill, strike out "an", and insert "a special".

Amendment No. 35

On page 5, line 52, of said bill, strike out "an", and insert "a special".

Amendment No. 36

On page 6, line 18, of said bill, after "establish", insert "special".

Amendment No. 37

On page 6, line 19, of said bill, after "of", insert "special".

Amendment No. 38

On page 6, line 22, of said bill, after "of", insert "special".

Amendment No. 39

On page 6 of said bill, strike out lines 41 to 44, inclusive, and insert

"25276. The board may establish the entire unincorporated area or areas of the county as a single special".

Amendment No. 40

On page 6 of said bill, strike out lines 46 to 51, inclusive; and on page 7, strike out lines 1 and 2, and insert

"25277. The board may establish more than one special urban service zone to correspond with special urban services provided in such zones."

Amendment No. 41

On page 7, line 9, of said bill, after "in", insert "special".

Amendment No. 42

On page 7, line 11, of said bill, after "of the", insert "special".

Amendment No. 43

On page 7, line 17, of said bill, after "the", insert "special".

Amendment No. 44

On page 7, line 19, of said bill, after "official", insert "special".

Amendment No. 45

On page 7, line 21, of said bill, after "city", strike out ", urban"; and in line 22, strike out "district".

Amendment No. 46

On page 7, line 24, of said bill, before "urban", insert "special".

Amendment No. 47

On page 7, line 29, of said bill, after "February ", insert "As a part of its annual county budget hearings the board shall consider the requests of residents and property owners in special urban service zones for the provision by the county of additional special urban services or higher standards of service as well as requests for discontinuance or lower standards of service."

Amendment No. 48

On page 7, line 30, of said bill, strike out "an", and insert "a special".

Amendment No. 49

On page 7, line 33, of said bill, after "tax", insert ", at a rate not to exceed one dollar ($1) on each one hundred dollars ($100) of assessed value,".

Amendment No. 50

On page 7, line 34, of said bill, after "each", insert "special"

Amendment No. 51

On page 7, line 35, of said bill, after "of", insert "special".

Amendment No. 52

On page 7, line 39, of said bill, strike out "an", and insert "a special".

Amendment No. 53

On page 7, line 41, of said bill, after "All", insert "special".

Amendment No. 54

On page 7, line 42, of said bill, after "taxes", insert ", other than delinquent taxes,"

Amendment No. 55

On page 7 of said bill, strike out lines 44 to 49, inclusive.

Amendment No. 56

On page 8, line 1, of said bill, strike out "25284", and insert "25283".

Amendment No. 57

On page 8, line 4, of said bill, strike out "an", and insert "a special".

Amendment No. 58

On page 8, line 7, of said bill, after "of", insert "special".

Amendment No. 59

On page 8 of said bill, strike out lines 11 to 52, inclusive; and strike out all of pages 9, 10, 11, 12, 13, 14, 15, and 16

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion That Assembly Bill No. 3217 Be Withdrawn From File, and Be Re-referred

Mr. Beck moved that Assembly Bill No. 3217 be withdrawn from the second reading file, and be re-referred to the Committee on Municipal and County Government.

Mr. Munnell seconded the motion.

Ruling by Speaker

Speaker Sam L Collins ruled the motion by Mr. Beck not in order, at this time, because the bill has been sent to be reprinted.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 169

Relative to amending the Standing Rules of the Assembly

Resolved by the Assembly of the State of California, That the Standing Rules of the Assembly be amended by adding a new rule numbered 46.5 thereto to read

46.5. No special interim investigating committee of the Assembly shall be created except by resolution adopted by the affirmative vote of two-thirds of the membership of the Assembly.

This rule shall not be applicable to the standing committees of the Assembly which are authorized by resolution to conduct investigations during the interim between sessions.

Resolution read, and ordered referred to the Committee on Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2355—An act to add Section 635.1 and to amend Section 735.3 of the Agricultural Code, relating to milk and dairy products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 676—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11 a.m., Mr. McCollister asked for, and was granted, unanimous consent that Mr. Dills be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 155—An act to amend Section 370 of the Elections Code, relating to printing of indices of registration.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "Sections 370 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive.

Amendment No. 3

On page 1, line 21, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 191—An act to amend Section 2828 of the Elections Code, relating to removal of members of state and county central committees.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "Sections 2828 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive

Amendment No. 3

On page 1, line 9, of said bill, strike out "SEC 2.", and insert "SECTION 1."

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Waters, Hollibaugh, Lanterman, McGee, Klocksiem, Levering, Morris, Collier, Conrad, Porter, Hawkins, McMillan, Geddes, Rosenthal, Munnell, Dickey, Sam L. Collins, Grant, Thomas, Evans, Mrs. Niehouse, Messrs. Doyle, Lipscomb, Smith, Stewart, Erwin, Lyon, Chapel, and Burkhalter:

House Resolution No. 170

Relative to the taxation of women's and fraternal organizations

WHEREAS, As the result of a recent court decision in the case of *Simms* vs. *Los Angeles County* (1950), 35 Cal. 2d 303, many women's clubs, fraternal organizations

and others similar in nature have been denied tax reductions on their club houses which they have heretofore enjoyed; and

WHEREAS, These organizations are of great benefit to their communities and the State of California because of their interest in civic betterment and philanthropic work; and

WHEREAS, The activities in which these organizations engage result in great savings to the taxpayer, since many of the services they render would otherwise have to be furnished and financed through some governmental agency; and

WHEREAS, The added taxes imposed upon these organizations may cause many of them to cease operating and thus force additional responsibilities and duties upon governmental agencies at great cost to the taxpayers; and

WHEREAS, These organizations are non-profit in nature and afford no profit or gain to any individual; and

WHEREAS, It is to the interest of all levels of government to extend support to these organizations so that they may continue in the performance of their good work; and

WHEREAS, Despite repeated efforts during the 1951 Session of the California Legislature, no adequate solution to the furnishing of such support has been found, now, therefore, be it

Resolved by the Assembly of the State of California, That the present Assembly Interim Committee on State and Local Taxation, or any committee with similar functions created at this session of the Legislature, is hereby directed to study ways and means of providing adequate property tax relief to the aforementioned organizations so that they may be returned to the position which they heretofore enjoyed; and be it further

Resolved, That the committee report its findings and recommendations to this body at the next General Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 83

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 83—Approving certain amendments to the charter of the City of Oakland, a Municipal Corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of May, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hawkins, Henderson, Hinckley, Lanterman, Lowrey, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Thomas, and Waters—41.

NOES—Clarke, Cloyed, Conrad, Dickey, Erwin, Grant, Hagen, Hansen, Holibaugh, Levering, Lincoln, Lipscomb, Maloney, McCollister, McGee, Morris, Sherwin, Stanley, Stewart, and Mr. Speaker—20.

Notice of Motion to Reconsider Assembly Bill No. 494

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 494 was this day passed.

Assembly Bill No. 2435—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1715

Mr. Dunn asked for, and was granted, unanimous consent to take up his notice of motion to reconsider Assembly Bill No. 1715, temporarily passed on file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1715

In compliance with a notice given on a previous day, Mr. Dunn moved that the vote whereby Assembly Bill No. 1715 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1715 refused consideration by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hinckley, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford Shaw, and Thomas—31.

NOES—Babbage, Belotti, Clarke, Cloyed, Conrad, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, McCarthy, McGee, Morris, Porter, Sherwin, Silliman, Stanley, Stewart, and Mr Speaker—31.

Assembly Bill No. 1715 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2435—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—58

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.35 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2895—An act to add Section 926a of the Health and Safety Code, relating to local health districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky,

Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 290

Mr. Stewart asked for, and was granted, unanimous consent to take up Assembly Bill No. 290, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 290

Assembly Bill No. 290—An act to add Sections 9540 5, 9540.51, 9540 52, 9540 53, 9540.54, and 9540 55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Crowley, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McFall, Meyers, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—48.

NOES—Brady, Collier, Davis, Dickey, Doyle, Dunn, Hinckley, Klocksiem, Lowrey, McCollister, Munnell, and Rumford—12

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 981
Assembly Bill No. 1996
Assembly Bill No 2569
Assembly Bill No. 2621
Assembly Bill No. 2622

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 426
Assembly Bill No. 1903

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3183

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred
Assembly Bill No. 424

Has had the same under consideration, and respectfully reports the same back without recommendation.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 3433

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Senate Bill No. 1576

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Senate Bill No. 953
Senate Bill No. 1217

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 3374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 132

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Assembly Bill No. 1879
Assembly Bill No. 2631

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, and Waters—58

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3189 Hold Place on File

Mr. Porter asked for, and was granted, unanimous consent that Assembly Bill No. 3189 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 86—Approving the charter amendments to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, and Waters—65

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 87—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—65

NOES—None

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 806, on request of Mrs. Niehouse.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3418—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Waters—60

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 15 5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Resolution read.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed measure, strike out "15", and insert "15 5".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 634 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 634 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2695 Hold Place on File

Mr. Collier asked for, and was granted, unanimous consent that Assembly Bill No. 2695 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2727 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 2727 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3440—An act adding Sections 35002.5, 35003, 35158 and 35326 to and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request by Unanimous Consent That Proposed Amendments Be Printed in Journal

Mr. Kirkwood asked for, and was granted, unanimous consent that proposed amendments to Assembly Bill No. 3440 be ordered printed in the Journal, without action at this time, as follows:

Proposed Amendments by Mr. Kirkwood

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "35158", and insert "35003.5, 35105.5, 35158, 35304.5".

Amendment No. 2

On page 1 of said bill, between lines 15 and 16, insert

"SEC. 2.5. Section 35003.5 is added to said code to read:

35003.5. Notwithstanding the provisions of Sections 35002.5 and 35003, territory which is wholly owned by a public agency may, with the consent of the public agency be annexed to a city together with any street, highway or road which connects such territory to the city."

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC. 3.5. Section 35105.5 is added to said code to read:

35105.5. Notwithstanding the provisions of Sections 35002.5 and 35003, territory consisting of property abutting on a roadway and the roadway to the extent that it abuts such property may be annexed to a city pursuant to this article, provided, that if any portion of such territory or roadway is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained.

The provisions of this section shall apply to annexation proceedings commenced after the effective date of this act and to proceedings for the annexation of territory some portion of which is situated within three miles of the boundaries of any other city, commenced prior to such effective date which have not been completed by June 1, 1951."

Amendment No. 4

On page 2 of said bill, between lines 5 and 6, insert

"SEC. 4.5. Section 35304.5 is added to said code to read:

35304.5. Notwithstanding the provisions of Sections 35002.5 and 35003 territory consisting of property abutting on a roadway and the roadway to the extent that it abuts such property may be annexed to a city pursuant to this article if the owner or owners of such abutting property assent to such annexation, provided that if any portion of such territory is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained.

The provisions of this section shall apply to annexation proceedings commenced after the effective date of this act and to proceedings for the annexation of territory some portion of which is situated within three miles of the boundaries of any other city commenced prior to such effective date which have not been completed by June 1, 1951."

Proposed Amendments by Mr. Thomas

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "and 35326", and insert "35326 and 35567".

Amendment No. 2

In line 2 of the title of said bill, after "35101", insert ", 35104".

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC. 4 Section 35104 of said code is amended to read.

35104. To qualify for annexation, new territory shall be contiguous to:

(a) The city, or

(b) Contiguous territory where the electors have voted for annexation to the city.

When new territory is divided from a city by only a road or highway, one part of the length of which road or highway bordering upon said new territory is in one city and the other part is in another city, such new territory shall be deemed to be contiguous to either city, and may be annexed by either city, and should such annexation be completed, the entire portion of said road bordering upon said new territory shall thenceforth be deemed to be annexed to said annexing city."

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 6, of said bill, strike out "SEC. 5", and insert "SEC. 6".

Amendment No. 6

On page 2, line 15, of said bill, strike out "SEC. 6", and insert "Sec. 7".

Amendment No. 7

On page 2 of said bill, between lines 18 and 19, insert

"SEC 8. Section 35567 is added to the Government Code to read:

35567. Any street or roadway or portion thereof heretofore or hereafter annexed by one or more cities may be excluded from any city annexing the same, provided the exclusion thereof shall not operate to disconnect any territory of such city from the city and provided that such exclusion shall not make any territory of said city non-contiguous to said city.

The legislative body of a city desiring to exclude such roadway or street from the city may pass a resolution to that effect and cause a certified copy thereof to be filed with the Secretary of State and also with the Board of Supervisors of the County in which the same is located and thereupon said exclusion shall be deemed to be complete."

Amendment No. 8

On page 2, line 19, of said bill, strike out "SEC. 7", and insert "SEC. 9"

Amendment No. 9

On page 2, line 25, of said bill, strike out "SEC 8", and insert "SEC. 10".

Assembly Concurrent Resolution No. 25—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8a to Article XI thereof, relating to the charters of cities and cities and counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 54

Messrs. Munnell and Dunn gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Constitutional Amendment No. 54 was this day adopted.

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—47.

NOES—Connolly, Grant, Lipscomb, and Rumford—4

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2689 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2689 be passed on file, and hold its place on file on the next legislative day

Assembly Bill No. 1356—An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—56

NOES—None.

Bill ordered transmitted to the Senate,

NOTICE OF MOTION TO AMEND STANDING RULE NO. 9 BY MR. SILLIMAN

Pursuant to Rule No. 5, Mr. Silliman gave notice that on the next legislative day he would move to repeal Standing Rule No. 9.

NOTICE OF MOTION TO AMEND STANDING HOUSE RULES NOS. 8 AND 10

Mr. Silliman gave notice of motion that on the next legislative day he would move to amend Standing House Rules Nos. 8 and 10, and by unanimous consent, his notice of motion and proposed amendments were ordered printed in the Journal, in 10 point type, as follows:

NOTICE OF MOTION TO AMEND STANDING HOUSE RULES NOS. 8 AND 10 GIVEN

I hereby move that Rules 8 and 10 of the Standing Rules be amended to read:

8. ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories.~~

~~A. Legislature.~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~. *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.*

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions

10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee *, except the Committee on Rules which is hereinabove provided for* . Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

(*l*) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(m) The provisions of subdivision (l) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(n) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1587—An act to add Section 103.4 to the Welfare and Institutions Code, relating to absence of recipients of public assistance from the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2370, on request of Mr. Lipscomb.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 372—An act to amend Section 2001 of the Government Code, relating to public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Tomlinson, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 1818

Mr. Brown asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1818 for further consideration.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 611

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 611 for further consideration.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 614

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 614 for further consideration.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 72

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 72, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 72

Senate Bill No. 72—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 30.2 and 35.1, relating to the authorization and levy of annual assessments and special assessments upon real property within water conservation districts and improvement districts created therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 267

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 267, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 267

Senate Bill No. 267—An act to amend Section 2 of the Water Conservation Act of 1927, relating to the powers of districts formed under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 71

Mr Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 71, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 71

Senate Bill No. 71—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 3.1, 30.1, 36.1, 56.1, 61.1, 67.1, and 77.1, relating to the authorization, issuance, and payment of bonds of water conservation districts and improvement districts created under said act and the levy of assessments upon real property for the payment thereof, repealing Chapter 63 of the Statutes of the 1950 First Extraordinary Session, and validating districts organized pursuant to said Water Conservation Act of 1931, as amended by said Chapter 63.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1662

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No 1662, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1662

Senate Bill No. 1662—An act to amend Sections 7580 and 7581 of the Business and Professions Code, relating to a schedule of license fees for private investigators and adjusters and creating a Private Investigator and Adjuster Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Maloney asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 1662, and that he be recorded as voting "Aye" instead of "No".

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 12.30 p.m., Mr. Hollibaugh asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Revenue and Taxation at his desk, upon adjournment.

ANNOUNCEMENT

Mr. Beck announced that a Democratic Caucus will be held today, upon adjournment, in a conference room in the Capitol.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 913

Mr. Erwin asked for, and was granted, unanimous consent to take up Senate Bill No. 913, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 913

Senate Bill No. 913—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Thomas, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 100—An act to add Section 951.1 to the Fish and Game Code, relating to trawl nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Waters—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "Hatch v. Wildlife Conservation Board."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Notice of Motion to Reconsider Senate Concurrent Resolution No. 82

Mr. Erwin gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Concurrent Resolution No. 82 was this day adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1659

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No. 1659, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1659

Senate Bill No. 1659—An act to amend Sections 7524, 7525, 7526, 7528, 7551, 7552, and 7553 of the Business and Professions Code, relating to the regulation, registration, and licensing of private investigators and adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1660

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No. 1660, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1660

Senate Bill No. 1660—An act to amend Sections 7500, 7503, 7504, 7510, 7514, 7520, 7529, 7533, 7534, 7536, 7538, 7541, 7543, 7545, and to repeal Sections 7506, 7529.5 ,7530, 7537, and 7567 of, and to add Section 7530 to, the Business and Professions Code, relating to the regulation of licensees of the Bureau of Private Investigators and Adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1661

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No. 1661, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1661

Senate Bill No. 1661—An act to amend Section 7521 and 7522 of the Business and Professions Code, relating to private investigators and adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burkhalter:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 35250, 35251, 35254, 35255, and 35258 of the Government Code, relating to the exclusion and annexation of territory of cities.

Respectfully submitted.

EVERETT G. BURKHALTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Burkhalter:

An act to amend Sections 35250, 35251, 35254, 35255, and 35258 of the Government Code, relating to the exclusion and annexation of territory of cities.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3449: By Mr. Burkhalter—An act to amend Sections 35250, 35251, 35254, 35255, and 35258 of the Government Code, relating to the exclusion and annexation of territory of cities.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 353

Mr. Belotti asked for, and was granted, unanimous consent to take up Senate Bill No. 353, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 353

Senate Bill No. 353—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Thomas, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 74

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 74, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 74

Senate Concurrent Resolution No. 74—Relating to establishing R. O. T. C. flying instruction at Davis.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 301

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Bill No. 301, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 301

Senate Bill No. 301—An act to amend Section 9809 of the Education Code, relating to the computation of excess cost of educating mentally retarded pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.52 p.m , Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 928

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 928, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 928

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of, and to add Section 11732 1 to, the Insurance Code, relating to the regulation of rating and other organizations for workmen's compensation insurance and employers' liability insurance incidental thereto and written in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1563

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Senate Bill No. 1563, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1563

Senate Bill No. 1563—An act to provide for the placing in civil service of employees of certain local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 386

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 386, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 386

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Caldecott, Condon, Connolly, Crowley, Dickey, Erwin, Fleury, Grunsky, Hagen, Hansen, Hollibaugh, Luckel, Maloney, McFall, McGee, Meyers, Moss, Munnell, Rosenthal, Shaw, Stewart, Tomlinson, and Mr. Speaker—28.

NOES—Belotti, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Cooke, Davis, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Hawkins, Henderson, Hinckley, Klocksiem, Lincoln, Lowrey, McCollister, Parker, Porter, Rumford, Sherwin, and Thomas—28.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 386

Mr Connolly asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 386.

Mr. Evans withheld unanimous consent.

Notice of Motion to Reconsider Senate Bill No. 386

Mr. Connolly gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 386 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 820

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 820, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 820

Senate Bill No. 820—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin Thomas, Waters, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted, unanimous consent to take up Senate Bill No. 640, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 22, 1951, after the second comma, insert "and to amend Sections 3631, 3632, and 3634 of, and to add Section 3574 to, the Public Utilities Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 31, insert

"SEC. 5. Section 3574 is added to the Public Utilities Code, to read

3574 No operating permit shall be sold, leased, assigned transferred, or otherwise encumbered by the holder thereof without first having secured from the commission an order authorizing it. Any such sale, lease, assignment, transfer, or encumbrance made otherwise than in accordance with the order of the commission authorizing it shall be void.

SEC. 6. Section 3631 of said code is amended to read:

3631. The commission shall, in granting permits pursuant to this chapter, require the highway carrier to procure, and continue in effect during the life of the permit, adequate protection, as provided in Section 3632, against liability imposed by law upon the highway carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [five thousand dollars ($5,000)] *ten thousand dollars ($10,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the highway carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [ten thousand dollars ($10,000)] *twenty thousand dollars ($20,000)*; and protection in an amount of not less than five thousand dollars ($5,000) for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any highway carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

SEC. 7. Section 3632 of said code is amended to read:

3632. The protection required under Section 3631 shall be evidenced either:

[(a)] By the deposit with the commission, covering each vehicle used or to be used under the permit applied for,

(1) Of a policy of [public liability and property damage] insurance, issued by a company licensed to write such insurance in the State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State [;]. [or]

[(3) Of a personal bond, with such sureties as the commission finds adequate to guarantee the required protection.]

[(b) By a trust fund in the amount of fifteen thousand dollars ($15,000), to be held in trust by some institution or person acceptable to the commission.]

[(c) By a combination of any of the foregoing methods in such manner that the aggregate of the protection or funds available equals the principal sum of not less than fifteen thousand dollars ($15,000).]

[The highway carrier shall select the method to be used in obtaining the protection, and may change from one method to another from time to time, with the consent of the commission.]

SEC. 8. Section 3634 of said code is amended to read:

3634. The protection against liability shall be continued in effect during the active life of the permit. The policy of insurance [,] *or* surety bond [or personal bond] shall not be cancelable on less than [ten (10)] *thirty (30)* days written notice to the commission.

SEC. 9. Sections 5 to 8, inclusive, of this act become operative only if Division 2 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 3½, 5, 6, and 7 of the Highway Carriers' Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 40: By Messrs. Rumford, Tomlinson, Dunn, McCarthy, Caldecott, Doyle, Geddes, Hagen, Henderson, Lincoln, Lipscomb, Stanley, and Stewart—Relative to the application of the Sherman Anti-Trust Act and the Miller Tydings Act as applied to State Fair Trade Laws.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 62: By Mr. Dolwig—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes.

Referred to Committee on Constitutional Amendments.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from Harold I Goss, Secretary of State, State of Maine, relative to rescinding and repudiating a memorial approving the principles of World Federation submitted to both Houses of Congress by the Maine Legislature in its 1949 Regular Session was received, and ordered referred to the Committee on Rules.

By Speaker Sam L. Collins:

A resolution from Harold I. Goss, Secretary of State, State of Maine, relative to making application to the Congress of the United States to call a convention, for the proposing of an amendment to the Constitution of the United States to restrain the present unrestrained exercise of the taxing power by the Federal Government, was received, and ordered referred to the Committee on Revenue and Taxation.

NOTICES OF MOTIONS TO AMEND STANDING RULES CONTINUED

By unanimous consent, the notices of motions by Mr. Fleury to amend Standing Rules Nos. 9, 8 and 10 were continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 83

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2947

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 2479

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James Lawrence of Long Beach.

On request of Mr. Evans and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. William A. Evans of Los Angeles.

On request of Messrs. Moss and Fleury and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Pvt. Alan Greig Smith and Donald M. Smith of Sacramento.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Francis Dunn, Jr., of Oakland.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Frank L. Kostlan and O. A. Dietrich of Pasadena.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Lieut. Albert Depetris and Lieut. Richard Bund, U. S. Army Air Force, of San Francisco.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Neal M. Ulrey and William Armstrong, teachers, Mesdames Sue Beeler, Esther Peters, Doris Sciallo, Mary Ulrey, Emma Montna, Nilda Christopherson, and Sensiba, adults, and the following pupils of the Barry Union School: Douglas Beeler, Shirley Harris, Charlotte Harroun, Eugene Howard, Marlene Howard, Dolores Hudgins, Donald Myers, Ronald Neel, David Rodriguez, Helen Roman, Harold Schmidt, Barry Holmes, Jerry Springer, Richard Tsukuda, Janice Halfhill, Robert Applegarth, Donald Graham, Maxine Hinds, Wallace Montna, Herbert Phillips, James Humlick, Royal Shidler, Beverly Sensiba, Janice Stevenson, Robert Talley, Janice Beeler, Barbara Roman, Karen Stevenson, Lena Hinsley, Wanda Elis, Janice Scialer, Earl Larsen, Gene Humlick, Larry Montna, Ralph Thompson, Jimmey Monterey, Richard Carlin, Glenda Shippen, Joy Peters, Stanley Neal, Leona Mathes, Joe Roman, Roberta Thompson, Barbara Beeler, Joan Sanborn, Patricia Harris, Helen Thompson, Dean Nobeta, Martin Loebline, Ronnie Howard, Dickie Dihel, Lucky Corbin, Walter Loebline, Bobby Van Leeuwen, Eddie Anderson, Teddy Brovas, Marline Montna, Dudley Christopherson, and Carol Thoma.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Richard Yeamans of Los Angeles.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Earl Popovich, of San Francisco.

ADJOURNMENT

At 1.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, June 4, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-THIRD LEGISLATIVE DAY

ONE HUNDRED FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 4, 1951

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

God of Our Fathers, Who didst lead Thine ancient people through desert wanderings into the promised land, and who didst guide our Pilgrim sires across the stormy seas to lay here the foundation of this Great Republic, we implore Thy blessing and guidance as we seek our place among the nations of the earth.

As we look upon the Flag, remind us of our duties and privileges as citizens of a land especially favored by our Creator

We bless Thee for the inspired souls who saw afar this shining city of God and by faith followed their vision.

"O beautiful for pilgrim feet,
Whose stern impassioned stress
A thoroughfare for freedom beat
Across the wilderness.
America! America!
God mend thine every flaw,
Confirm thy soul in self-control,
Thy liberty in law!"

In Jesus' name we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Geddes.

Mr. Burke, on motion of Mr. Luckel.

Mr. Cooke, on motion of Mr. Doyle.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 1, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2309, entitled: "An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists."

My objections to this bill are as follows:

Apparently the purpose of this bill is to prohibit the use of the wall plate and therapeutic lights in the practice of cosmetology. The bill does not accomplish such a purpose. It merely provides that no questions may be asked in the examination for a cosmetology license concerning these instruments and processes.

If the bill were to become law it would leave these instruments in use by cosmetologists, but the board which determines vocational standards would be prohibited from asking questions concerning them in the qualifying examinations. To permit their use without any determination of the qualification of the applicant in their use would deprive the public of the protection which the act is intended to give.

I have given no consideration to the question of whether or not cosmetologists should be permitted to use wall plates and therapeutic lights, as that question is not involved in this bill.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No 2309

June 1, 1951

I acknowledge receipt this first day of June, 1951, at 5 15 o'clock p.m. of Assembly Bill No. 2309 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 2309, entitled: "An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5.15 o'clock p.m. on the first day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 2309 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 49

And reports the same correctly re-engrossed.

GRUNSKY, Vice Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 155
Assembly Bill No. 191
Assembly Bill No 1561
Assembly Bill No 2224
Assembly Bill No 2573
Assembly Bill No 3217

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 3121
Assembly Bill No 3408
Assembly Bill No 3429

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 18
Assembly Bill No 118
Assembly Bill No. 343
Assembly Bill No. 812
Assembly Bill No. 850
Assembly Bill No. 1570
Assembly Bill No 1684
Assembly Bill No. 2858
Assembly Bill No. 3122
Assembly Bill No. 3291
Assembly Bill No 3345

And reports the same correctly engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 55
Assembly Constitutional Amendment No 58

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1221
Assembly Bill No. 1426
Assembly Bill No 2275

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 35—Relative to tariffs on wine;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the first day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees;

Assembly Bill No. 1075—An act to add Section 14551 to the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1076—An act to amend Section 35311 of the Government Code, relating to the annexation of territory;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of June, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1901—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents;

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 3029—An act to amend Section 4845.28 of, and add Sections 4738 and 4742 1 to, the Health and Safety Code, relating to county sanitation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of June, 1951, at 2 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394 5 to, the Labor Code, relating to child labor;

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, and to amend Section 9701 of said code, relating to outdoor science education and conservation education;

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural water-well boring rigs;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of June, 1951, at 2 p.m.

BURKE, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1995

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred

Assembly Bill No 1993

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2335
Assembly Bill No 3027

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 3345, 3122 and 343 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 850 and 1221 re-referred to the Committee on Public Health.

Assembly Bills Nos. 18, 118, 812, 1570, 2858, 3291 and 2275 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1684 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1426 re-referred to the Committee on Judiciary.

Senate Bill No. 1591 re-referred to the Committee on Social Welfare

Senate Bill No. 598 re-referred to the Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 28
Senate Bill No. 1055

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 880
Assembly Bill No. 1144
Assembly Bill No 1788
Assembly Bill No. 1789
Assembly Bill No. 1839
Assembly Bill No. 3425

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators James E Cunningham, Tenney, and Watson as a Committee on Conference concerning:

Assembly Bill No. 2599—An act to add Sections 5.2 and 5 3 to, and to amend Section 6 of, the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 475
Assembly Bill No. 840
Assembly Bill No. 962
Assembly Bill No 1696
Assembly Bill No. 1698
Assembly Bill No. 2207
Assembly Bill No. 2725
Assembly Bill No. 3229
Assembly Bill No. 3405

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 65
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 38
Senate Bill No. 39
Senate Bill No. 487
Senate Bill No. 516
Senate Bill No. 574
Senate Bill No. 677
Senate Bill No. 679
Senate Bill No. 885
Senate Bill No. 1034
Senate Bill No. 1072
Senate Bill No 1117
Senate Bill No. 1246
Senate Bill No. 1469
Senate Bill No. 1513
Senate Bill No 1577
Senate Bill No 1752
Senate Bill No 1823

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 39—An act to amend Section 28150 of the Government Code, and Section 450 of the Education Code, relating to compensation for public services in counties of the fiftieth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 487—An act to amend Sections 2007, 2009, and 2151 of the Streets and Highways Code, relating to a System of Public Streets and Highways in this State and the financial support thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 516—An act to add Sections 99 to 106, inclusive, to the Drainage District Act of 1903, relating to the dissolution of drainage districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Referred to Committee on Judiciary.

Senate Bill No. 677—An act to provide for the safety of public records, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 679—An act to add Section 35 to Chapter 1, Title 1, Part 1 of the Code of Civil Procedure, relating to courts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 885—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1034—An act to add Sections 23177 and 23178 to the Government Code, relating to counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1072—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1117—An act to add Article 4 to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, consisting of Sections 53070 and 53071, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1246—An act to amend Section 2605 of the Elections Code, relating to sponsors for candidates.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 1469—An act to amend Sections 43619 and 43620 of, and to add Sections 43620.1 and 43620.2 to, the Government Code, relating to bonds for municipal improvements.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1513—An act to add Section 372.1 to the Vehicle Code, relating to registration fees.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1577—An act to amend Sections 9351, 9351.3, 9353.6, 9355, 9355.1, 9355 4, 9359, 9359.1, 9359.8, and 9359.85 of, and to add Sections 9351.4 and 9359.83 to, the Government Code, relating to the retirement of legislators and constitutional officers.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1752—An act to amend Section 28133 of the Government Code, relating to compensation for public services in a county of the thirty-third class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1823—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate, pursuant to your request, is returning herewith:

Assembly Bill No. 611
Assembly Bill No. 614
Assembly Bill No. 1818

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 611

Mr. Stewart asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Thursday, April 26th, passed Assembly Bill No. 611.

Assembly Bill No. 611 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 614

Mr. Stewart asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Monday, April 9th, passed Assembly Bill No. 614.

Assembly Bill No. 614 ordered to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 611, on motion of Mr. Stewart.

Assembly Bill No. 614, on motion of Mr. Stewart.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 1818

Mr. Brown asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Friday, March 30th, passed Assembly Bill No. 1818.

Assembly Bill No. 1818 ordered to third reading.

Request for Unanimous Consent That Assembly Bill No. 1818 Be Re-referred to Committee

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1818 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1969—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

Bill read second time, and ordered engrossed.

Assembly Bill No. 132—An act making an appropriation to the emergency fund specified in Item 278 of the Budget Act of 1949.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2283—An act to amend Section 28140 of the Government Code, relating to compensation for public services in counties of the fortieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28140", and insert "28145".

Amendment No. 2

In line 3 of the title of said bill, strike out "fortieth", and insert "forty-fifth".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28145 of the Government Code is amended to read:

28145. In a county of the forty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums

(a) The auditor, [one thousand four hundred dollars ($1,400)] *two thousand dollars ($2,000)* a year.

(b) The district attorney, [three thousand dollars ($3,000)] *six thousand six hundred dollars ($6,600)* a year.

(c) Each supervisor, [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year and mileage from his residence to the county seat at each sitting of the board, twenty cents ($0.20) a mile, such compensation to be in full for services either as supervisor or for mileage as road commissioner

(d) Grand and trial jurors, [three dollars ($3)] *five dollars ($5)* per day and such mileage fees as are allowed by law.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 5, line 26, of the printed bill, as amended in the Assembly on April 27, 1951, after "name", strike out the remainder of the line; and strike out lines 27 to 30, inclusive, and insert "shall not contain the name of any person who is either not registered by the board in a branch of professional engineering, or as an architect; provided, that any holding out by such partnership, firm, or corporation of any individual or individuals to the public as a member, or members, of such partnership, firm, or corporation, other than by the use of the name or names of such individual or individuals in the partnership, firm, or corporate name, shall clearly and specifically designate the license status of such individual or individuals."

Amendment No. 2

On page 7 of said bill, strike out lines 28 to 32, inclusive, and insert "(2) Successfully pass an examination."

Amendment No. 3

On page 9, line 36, of said bill, strike out "6766", and insert: "6765"

Amendment No. 4

On page 9, line 40, of said bill, strike out "6767" and insert: "6766"

Amendment No. 5

On page 11, line 49, of said bill, after the period, insert "The Civil Engineers Fund is hereby abolished. The unexpended balance remaining therein on the effective date of this act shall, on order of the State Controller, be transferred to the Professional Engineer's Fund."

Amendment No. 6

On page 12 of said bill, after line 29, insert

"SEC. 3. Except where a contrary intention is clearly expressed herein, this act shall be deemed to be a continuation of the Civil Engineers' Act in all respects. No person who on the effective date of this act is validly registered under the Civil Engineers' Act need secure any other or additional registration under this act. Such persons shall for all purposes be deemed to be registered under this act and subject to all provisions thereof."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2631—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 16, 17, and 18, of the printed bill, as amended in the Assembly on May 25, 1951, strike out "State Treasury not otherwise appropriated two hundred twenty-seven thousand ninety-eight dollars ($227,098)", and insert "General Fund one hundred fifty thousand four hundred fifteen dollars ($150,415)".

Amendment No. 2

On page 1, line 21, of said bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3433—An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1 5", and insert "1.7"

Amendment No. 2

On page 1, line 1, of said bill, strike out "1 5", and insert "1.7"

Amendment No. 3

On page 1, line 4, of said bill, strike out "1.5", and insert "1.7".

Amendment No. 4

On page 1, line 7, of said bill, strike out "141", and insert "147"

Amendment No. 5

On page 1, line 7, of said bill, strike out "142", and insert "147.1".

Amendment No. 6

On page 1, line 12, of said bill, strike out "142", and insert "147.1".

Amendment No. 7

On page 2, line 2, of said bill, strike out "143", and insert "147 2".

Amendment No. 8

On page 2, line 45, of said bill, strike out "144", and insert "147.3"

Amendment No. 9

On page 2, line 50, of said bill, strike out "145", and insert "147 4".

Amendment No. 10

On page 1, line 11, of said bill, after the period, insert "Contributions solicited for political purposes or for the purpose of influencing legislation, shall not be deemed to be charitable contributions within the meaning of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3183—An act to amend Section 4014 of, and add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 25, 1951, strike out "amend Section 4014 of, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 22, inclusive; on page 2, strike out lines 1 to 3, inclusive; and on page 2, line 4, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 3

On page 2, line 9, of said bill, after "irrigation districts," insert "mutual water companies,".

Amendment No. 4

On page 2, line 11, of said bill, after "consumption", insert "or other uses".

Amendment No. 5

On page 2, line 23, of said bill, strike out "3", and insert "2".

Amendment No. 6

On page 2, line 25, of said bill, strike out "other materials", and insert "fluorine compounds".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2944—An act to add Section 685 to the Vehicle Code, relating to required equipment for motor trucks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "truck", and insert "vehicle".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6, and insert "motor vehicle is equipped with a bumper on both the front and rear end of such vehicle."

Amendment No. 3

On page 1, line 8, of said bill, strike out "to a motor truck".

Amendment No. 4

On page 1, line 10, of said bill, strike out "truck", and insert "vehicle"

Amendment No. 5

On page 1 of said bill, strike out lines 11 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3348—An act to add Section 19.1 to the Alameda County Flood Control and Water Conservation District Act, relating to the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 to the Alameda County Flood Control and Water Conservation District Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "19 1", and insert "11.1".

Amendment No. 2

In the title of the printed bill, strike out all of lines 3 to 6, inclusive, and insert "procedure for instituting projects."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "19.1", and insert "11.1".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert "SEC. 11.1. The provisions of Section 11 of this act shall be exclusive in determining the proper procedure for the institution of projects under this act, any other provision of law notwithstanding."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1806—An act to add Section 1100 to the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1100 to", and insert "amend Sections 1101, 1102 2, 1102 3, and 1107 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 1101 of the Agricultural Code is amended to read:

1101. As used in this article with relation to eggs:

(a) "Addled" or "white rot" means putrid or rotten.

(b) "Adherent yolk" means the yolk has become fastened to the shell.

(c) "Blood" means the presence of blood rings or blood veins due to embryo development, or blood diffused into the white.

(d) "Candling" means the examination of the interior of eggs by the use of transmitted light.

(e) "Clean" means that the eggshell is free from foreign substance and is free from stains and discolorations other than processing oil

(f) "Reasonably clean" means that no dirt or foreign substance may be adhering to the surface of the eggshell and no stain or discoloration other than that caused by processing oil, shall exceed an aggregate area of one-half inch in diameter

(g) "Eggs" means eggs in the shell from chickens, turkeys, ducks, geese, or any other species of fowl.

(h) "Moldy" or "black spot" or "black rot" means the presence of mold or bacteria inside the shell.

(i) "Processed" means that the shell has been treated with oil or other preservative preparation.

(j) "Sound" means that the shell is free from cracks

(k) "Uniform in size" means that the eggs in any one container shall not vary more than three-eighths of an ounce in weight

(*l*) "Visible germ development" means that there has been some development of the germ which is slightly visible as a deeper colored area on the yolk as shown by candling the egg.

(m) "Firm white" means that the white is sufficiently thick or viscous to permit but little movement of the yolk from the center of the egg.

(n) "Checks" are eggs with shells which are not sound as determined by candling, appearance, or other means; provided, no exudation is present.

(o) "Dirties" are eggs with shells which are not reasonably clean as determined by appearance

(p) "Inedible eggs" are eggs which as determined by candling or any other means contain black spot, black rot, white rot, mixed rot (addled), adherent yolks, bloody or green white, blood, embryo chicks, sour eggs, musty eggs, or which are moldy, filthy, decomposed, putrid, or otherwise unfit for human consumption in whole or in part.

(q) "Denatured" means eggs *(1)*, made unfit for human food by treatment or the addition of a foreign substance *or (2), with one-half or more of the shell's surface covered by a permanent black dye*.

(r) "Clear white" means that the white is free from discoloration or foreign bodies.

SEC. 2. Section 1102.2 of said code is amended to read:

1102.2. As used in this article with relation to chicken eggs, the following standards of size as determined by weight are hereby established:

(a) "Jumbo": Eggs uniform in size weighing not less than 2 5/12 ounces each, and averaging not less than 30 ounces per dozen.

[(a)] *(b)* "Extra Large": Eggs uniform in size weighing not less than *2 1/6* [2 1/12] ounces each, and averaging not less than 27 [26] ounces per dozen

[(b)] *(c)* "Large": Eggs uniform in size weighing not less than 1 11/12 ounces each, and averaging not less than 24 ounces per dozen.

[(c)] *(d)* "Medium": Eggs uniform in size weighing not less than 1 2/3 ounces each, *and* averaging not less than 21 ounces per dozen.

[(d)] *(e)* "Small": Eggs *uniform in size* weighing not less than [1 1/3] *1 5/12* ounces each, and averaging not less than 18 ounces per dozen.

[(e)] *(f)* "Peewee": Eggs weighing less than [1 1/3] *1 5/12* ounces each.

SEC. 3. Section 1102.3 of said code is amended to read:

1102.3. The tolerance for *jumbos* [the] extra large, large, medium and small size standards of eggs shall be as follows: 5 percent by count of eggs in any container or bulk lot may be eggs of the next lower size than that specified, provided, eggs of the quality Grade C need not be graded and marked as to size.

SEC. 4. Section 1107 of said code is amended to read

1107. [Violation of any of the provisions of this article is a misdemeanor.] *Any person who violates any of the provisions of this article shall be subject to a fine not to exceed five hundred dollars ($500), the action to be brought by the district attorney of the county in which the violation occurs. In addition to being liable for such penalty any person who wilfully or intentionally violates any provision of this article is guilty of a misdemeanor.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3374—An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum protection for security and defense.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, insert

"1650. The purpose of this chapter is to promote the maximum use of the natural, economic and human resources of this State in the production of armaments, goods and services needed for the defense and security of this State and Nation.

1651. It shall be the duty of every officer and agency of the government of this State, and of every city, county and public district in this State, acting within the scope of their lawfully authorized functions, to perform those functions, wherever opportunity permits, in such a manner as to promote the purpose of this chapter.

1652 Officers and agencies of state, city, county and district governments shall confer and cooperate, where opportunity permits, with each other, with appropriate agencies of the Federal Government and other state governments, and with properly interested private agencies and persons, in order to most effectively promote the purpose of this chapter.

1653 It is the intent of this chapter that the activities of the officers and agencies of state and local governments in promoting the purpose of this chapter shall be conducted, insofar as possible, in conjunction with activities in which such officers and agencies are ordinarily engaged and that no additional personnel be employed, and no additional expenses, of a substantial nature, be incurred, for the purpose of this chapter, except as funds therefor may be made available by appropriation by the Legislature or local governing bodies or by gift, grant or contribution from other sources."

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 26 inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2479—An act to amend Section 19538 of, and to add Sections 19538.1, and 19538.2 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "said", and insert "the Business and Professions".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2947—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5050.3", and insert "5083.2".

Amendment No. 2

In line 2 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1 Section 5083.2 is added to the Education Code, to read:

5083.2 Notwithstanding, and in lieu of, any provisions of this chapter to the contrary, excepting Section 5051, if during the Fiscal Year 1950-1951, or any subsequent fiscal year, a conditional apportionment is or has been made to a district, hereinafter referred to as the original district, and if the original district (1) holds or has held all elections required by Section 5050, and (2) before such apportionment becomes final is or has been annexed to or included in whole in another district, hereinafter referred to as the acquiring district, which had prior thereto received its first final apportionment under this chapter during the same fiscal year, and (3) after such inclusion or annexation sells or has sold the bonds authorized by the aforesaid elections, the board may approve any application by the governing board of the acquiring district and make an apportionment, or apportionments, for any project for which the original district would have been eligible under this chapter had such inclusion not taken place. No apportionment shall be made to the acquiring district under this section unless the proceeds of the bonds which the board required the original district to sell are available

for and will be contributed toward the cost of the approved project Any apportionment made to the acquiring district under this section shall become final when made.

The computations provided in Sections 5054, 5055, 5056, and 5057 with respect to apportionments made under this section shall be made exactly as though the acquiring school district was comprised only of the original school district.

Any rate or amount of tax levied pursuant to or under the authority of Sections 5063, 6353, 6357, or any other provision of law, for the purpose of producing the amount or any part thereof deducted by the State Controller with respect to apportionments made under this section, during any fiscal year under Sections 5058 and 5059 from apportionments to the acquiring district from the State School Fund shall be levied only on property in the original school district.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are.

Under the existing law, a school district which has received a conditional apportionment for state school building aid loses such apportionment if the district is annexed to another school district, and a new apportionment can be made only if the acquiring district is eligible or becomes eligible for such an apportionment This provision has resulted in undue hardship where the acquiring district has recently held the necessary elections and issued bonds in order to receive an apportionment for its own needs but must immediately hold additional elections to incur additional bonded indebtedness and agree to repay a larger State loan in order to receive such aid for the pupils residing in the annexed area. In order that the welfare of the pupils in the annexed area may not be jeopardized by such annexation, and to permit State aid to be made available to such pupils at the earliest possible time, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 13, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 620—An act to add Section 157.5 to the Vehicle Code, relating to vehicles and registration and license fees therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1217—An act to amend Sections 3082 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Bill read second time, and ordered to third reading

Senate Bill No. 145—An act to amend Section 32355 of the Government Code, relating to retirement systems benefits in county fire service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in the Senate on May 3, 1951, strike out "one-half".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1576—An act to add Article 12.5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5

of the Welfare and Institutions Code, to add Article 7, comprising Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302.3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5, 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the blind, to provide for orientation centers and California Industries for the Blind and for state purchase of products made in institutions for the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out line 7 of the title of the printed bill, as amended in the Assembly on May 24, 1951, and insert "tions Code, to repeal Article 1, comprising Sections 3200 to 3203, inclusive, of Chapter 2 of Part 1 of Division 5, Article 1.5, comprising Sections 3250 to 3561, inclusive, of Chapter 2 of Part 1 of Division 5, and".

Amendment No. 2

On page 3 of said bill, strike out lines 19 and 20, and insert

"SEC. 1.5 Article 1, comprising Sections 3200 to 3203, inclusive, of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code is repealed.

SEC 2. Article 1 5, comprising Sections 3250 to 3261, inclusive, of Chapter 2 of Part 1 of Division 5 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons and employees, and duties of the probation officer.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 19, 1951, after "approval of", insert "the board of supervisors,".

Amendment No. 2

On page 1 of said bill, between lines 17 and 18, insert "board of supervisors and the".

JAMES E. CUNNINGHAM	BABBAGE
WATSON	STANLEY
REGAN	LIPSCOMB
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—52.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1883 WAIVED

Mr. Shaw waived his notice of motion to reconsider the vote whereby Assembly Bill No 1883 was passed.

Assembly Bill No. 1883 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1032?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 15 and 16.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1032 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

Assembly Bill No. 1032 ordered enrolled.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3070?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "or attempts to purchase".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3070 by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—48.

NOES—George D Collins, McCarthy, and Waters—3

Assembly Bill No. 3070 ordered enrolled.

Assembly Bill No. 3413—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or

ejection from the enclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3413?

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "within 10 days", and insert "at its next regular meeting".

Amendment No. 2

On page 1, line 20, of said bill, after "place", insert "and time".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3413 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 3413 ordered enrolled.

MOTION THAT STANDING RULE NO. 9 BE REPEALED

In accordance with a notice given on a previous day, Mr. Silliman moved that Standing Rule No. 9 be repealed.

Mr. Hinckley seconded the motion.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Hollibaugh is reading from a newspaper and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion by Mr. Silliman to repeal Standing Rule No. 9.

Question of Parliamentary Inquiry

Mr. Levering arose to the following question of parliamentary inquiry: Can we, by a vote of 54, temporarily suspend the Rules for the purpose of taking up other portions of the proposed program first?

Ruling by Speaker

Speaker Sam L. Collins ruled this question of parliamentary inquiry correct.

The question being on the motion by Mr. Silliman.

Roll Call Demanded

Messrs Silliman, Waters, and Kirkwood demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Silliman moved a call of the Assembly

Motion carried. Time, 11 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Condon, Grant, Grunsky, Lincoln, Maloney, McGee, and Smith—7.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Silliman moved that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr Moss seconded the motion.

Roll Call Demanded

Messrs. Brady, Silliman, and Moss demanded a roll call.

The roll was called, and Rule 85 temporarily suspended by the following vote:

AYES—Babbage, Beck, Berry, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr Speaker—44.

NOES—Belotti, Brady, Brown, Burkhalter, Chapel, Dickey, Dolwig, Doyle, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Kilpatrick, Levering, Lyon, McCollister, McMillan, Morris, Niehouse, Porter, and Thomas—22.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE

Mr. Elliott asked for, and was granted, unanimous consent to take up his notice of motion to withdraw Assembly Bill No. 2251 from committee temporarily passed on file.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Elliott moved that Assembly Bill No. 2251 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Dills, Doyle, Elliott, Evans, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Maloney, McCollister, McMillan, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—27

NOES—Babbage, Belotti, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grant, Gubser, Hansen, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McGee, Moss, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Mr. Speaker—33.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 279

Mr. Lyon asked for, and was granted, unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No. 279, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 16, 1951, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1951, strike out "and"; and following "687.2", insert "and 687.3"

Amendment No. 2

On page 1 of said bill, strike out lines 4 and 5, and insert "tion of logs or poles, or in the transportation of lumber".

Amendment No. 3

On page 1 of said bill, strike out line 8, and insert "respectively.

SEC. 2. Section 687.1 is added to said code, to read:

687.1 Transportation of logs or poles. Load binders for logs or poles shall be not less than".

Amendment No. 4

On page 2 of said bill, strike out lines 10 to 23, inclusive, and insert "at either end. Loads of logs or poles shall be secured as follows:".

Amendment No. 5

On page 2 of said bill, strike out lines 34 to 50, inclusive, and insert

"687.2. Transportation of lumber. Load binders for lumber shall be not less than three-eighths inch (⅜") high test steel chains, three-eighths inch (⅜") wire cable plow steel or better, or one and one-quarter inch (1¼") diameter manila rope (knot free), or a combination of such specified binders. Wire cable or manila rope binders shall be maintained in good condition and shall not be used when any strands are broken. Whenever manila rope is used it shall be protected by corner irons or a similar device to prevent fraying

Loads of lumber shall be secured as follows:

(a). Loads not to exceed five feet (5′) in height shall be secured to the vehicle with two (2) or more binders per unit length, except, however, if unit lengths are twelve feet (12′) or more in length such loads shall be secured by three (3) or more binders per unit length, and except that loads of laths shall have one (1) or more binders per unit width or length at the approximate center thereof

(b) Loads exceeding five feet (5′) in height shall be secured to the vehicle by three (3) or more binders per unit length, except that loads of laths shall have one (1) or more binders per unit width or length at the approximate center thereof.

SEC. 4. Section 687.3 is added to said code, to read

687.3. The provisions of Sections 687, 687.1 and 687.2 shall not apply when:

(a) Logs, poles, or lumber are loaded entirely within, and do not extend above, protective racks of sufficient strength to support the load.

(b) Loads of lumber or other forest products being transported from retail lumber yards to the property of a consumer; such loads, however, shall be secured against dangerous displacement either by proper piling or securing in a manner as to prevent shifting, toppling over, or otherwise becoming unstable."

Amendment No. 6

On page 3 of said bill, strike out lines 1 to 21, inclusive.

ABSHIRE	LYON
WAY	KELLY
McCARTHY	ELLIOTT
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon,

Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1744

Mr. Babbage asked for, and was granted, unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No 1744, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER The Committee on Conference concerning:

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in

WAY	BABBAGE
McCARTHY	BELOTTI
ABSHIRE	BRADY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1980, on request of Mr. Dolwig.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Connolly to reconsider the vote whereby Senate Bill No. 386 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 302 Hold Place on File

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2573 Hold Place on File

Mr. McFall asked for, and was granted, unanimous consent that Assembly Bill No 2573 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 191—An act to amend Sections 2828 and 2842 of the Elections Code, relating to state and county central committees.

Bill read third time, and ordered passed on file.

Assembly Bill No. 3189—An act to add Sections 5046.3 and 18744 to the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Thomas, Tomlinson, and Waters—62.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Thomas, Tomlinson, and Waters—62.
NOES—None.

Bill ordered transmitted to the Senate.

Bills Withdrawn From Active File, and Placed on the Inactive File

Assembly Constitutional Amendment No. 49, on motion of Mr. Dunn.

Assembly Bill No. 634—An act to amend Sections 45.5 and 78 of, and to add Sections 29.1 and 29.2 to, the Community Redevelopment Act and to amend Sections 33882, 33911, and 33912 of, and to add Section 33279 and Article 4 of Chapter 5 of Part 1 of Division 24 to, the Health and Safety Code, relating to community redevelopment and the financing thereof and the powers of public bodies in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.
NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO REPEAL RULE NO. 9

At 11.40 a.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to repeal Rule 9 of the Standing Rules carried by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—46

NOES—Berry, Brady, Burkhalter, Chapel, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Levering, Lipscomb, Luckel, Lyon, McCollister, McMillan, Morris, Niehouse, Porter, Rumford, and Thomas—28.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 132
Assembly Bill No. 1969

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED AMENDMENTS TO STANDING RULE NO. 8 BE PRINTED IN JOURNAL

Mr. Geddes asked for unanimous consent that his proposed amendments to Standing Rule No. 8, which have not yet been read across the desk, be printed in the Journal, and that further action relative to amending the Standing Rules be postponed until the next legislative day.

Mr. Silliman withheld unanimous consent.

Motion That Proposed Amendments by Messrs. Geddes and Hawkins Be Printed in Journal

Mr. Dickey moved that proposed amendments by Messrs. Geddes and Hawkins to the Standing Rules be printed in the Journal, and that further action relative to amending the Standing Rules be postponed until the next legislative day.

Mr. Dunn seconded the motion.

Substitute Motion

Mr. Waters moved, as a substitute motion, that the proposed amendments by Messrs. Geddes and Hawkins be sent, with a rush order, to the printer so that they will be available for consideration after recess.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion not in order because the procedure involved is not in order.

The question being on the motion by Mr. Dickey.

Substitute Motion

Mr. Waters moved, as a substitute motion to Mr. Dickey's motion, that the Sergeant-at-Arms be instructed to have multigraphed sufficient copies of the proposed amendments to be offered by Messrs. Geddes and Hawkins, so that they may be available for consideration when the Assembly reconvenes this afternoon.

Mr. Lowrey seconded the substitute motion.

Point of Order

Mr. Dickey arose to the following point of order: That the substitute motion by Mr. Waters is not in order because the Journal is the official record, and it is correct procedure to print said amendments in the Journal.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion by Mr. Waters in order, and the point of order not well taken.

The question being on the substitute motion by Mr. Waters

Roll Call Demanded

Messrs. Gaffney, Henderson, and Munnell demanded a roll call.

The roll was called, and the substitute motion by Mr. Waters that proposed amendments by Messrs. Geddes and Hawkins be multigraphed and made available for use when the Legislature reconvenes this afternoon carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Shaw, Sherwin, Sillman, Stanley, Stewart, and Waters—50

NOES—Brady, Crowley, Dickey, Dills, Dolwig, Gaffney, and McMillan—7.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 71—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 72—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 73—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 74—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, a 1 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 75—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 76—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 77—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 78—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, a 1 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 79—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 80—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 81—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 82—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, at 1 p m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 83—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 84—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 85—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, at 1 p m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 23—An act to amend Section 25656 of the Water Code, relating to assessments in irrigation districts;

Assembly Bill No. 410—An act to amend Section 1630.1 of the Labor Code, relating to employment agencies;

Assembly Bill No. 1687—An act to add Section 7144.1 to the Education Code, and to amend Sections 2861 and 2862 of said code, relating to school districts constituting component parts of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2149—An act to amend Section 740 4 of the Streets and Highways Code, relating to mapped highways;

Assembly Bill No. 2158—An act to amend Section 1596 of the Labor Code, relating to employment agencies;

Assembly Bill No. 2229—An act to amend Sections 30 and 89 of the Community Redevelopment Act and to amend Sections 33330, 33333, and 33450 of the Health and Safety Code, relating to community redevelopment;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2955—An act to repeal Section 7658 of the Public Utilities Code, relating to issuance of passenger tickets by railroad corporations, rights thereunder and damages in connection therewith;

Assembly Bill No. 2956—An act to amend Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith;

Assembly Bill No. 2959—An act to repeal Section 7652 of the Public Utilities Code, relating to damages for failure of railroads to transport passengers or property;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2960—An act to repeal Section 7651 of the Public Utilities Code, relating to operation of railroads and sufficiency of their accommodations;

Assembly Bill No. 2961—An act to repeal Section 7534 of the Public Utilities Code, relating to quality of rail used in construction of railroads;

Assembly Bill No. 2962—An act to amend Section 7532 of the Public Utilities Code, relating to the construction of railroads and the discontinuance of operation thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2963—An act to amend Section 7528 of the Public Utilities Code, relating to the motive power of railroads.

Assembly Bill No. 2964—An act to amend Section 7527 of the Public Utilities Code, relating to the powers of railroad corporations;

Assembly Bill No. 2965—An act to repeal Section 7510 of the Public Utilities Code, prescribing penalty for violations of Sections 7508 and 7509 thereof and authorizing prosecution of actions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2966—An act to repeal Section 7509 of the Public Utilities Code, relating to increase in the rates and fares of railroad corporations;

Assembly Bill No. 2967—An act to amend Section 7508 of the Public Utilities Code, relating to transfer of property of railroad corporations, consent of stockholders and recording and effect of conveyance;

Assembly Bill No. 2968—An act to repeal Section 7507 of the Public Utilities Code, relating to certificate of payment of fixed capital stock of railroad corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2969—An act to repeal Section 7506 of the Public Utilities Code, relating to the fixing of the capital stock of railroad corporations;

Assembly Bill No. 2970—An act to repeal Section 7505 of the Public Utilities Code, relating to the conversion of bonds of railroad corporations into stock;

Assembly Bill No. 2971—An act to repeal Section 7504 of the Public Utilities Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2972—An act to amend Section 7503 of the Public Utilities Code, relating to the borrowing of money by railroad corporations;

Assembly Bill No. 2973—An act to repeal Section 7502 of the Public Utilities Code, relating to the transfer of the capital stock of railroad corporations;

Assembly Bill No. 2974—An act to repeal Section 7501 of the Public Utilities Code, relating to election of directors of railroad corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to grand juries;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. Lowrey:

House Resolution No. 171

Congratulating Commander Hamilton B. Joslin, U. S. N. R.

WHEREAS, Hamilton B. Joslin enlisted in the United States Navy in 1930 at the age of 17 and was discharged therefrom in 1934 and joined the United States Naval Reserve in 1940 with the commission of Ensign; and

WHEREAS, While on active duty with the Navy in World War II he took part in the North Atlantic-Arctic Submarine Patrol for which service he was decorated, and served in the Asiatic and Southwest Pacific waters on submarines and attack transports of the Navy; and

WHEREAS, He was promoted through the various ranks to that of Lieutenant Commander before he was ordered to inactive duty in 1950; and

WHEREAS, In the service of the State of California after his return from naval duties, he served in the Legislative Auditor's office and with the Assembly Interim Committee on Public Lands; and

WHEREAS, Hamilton B. Joslin left the state service in March, 1951, to return to the naval service with the rank of Commander; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Commander Hamilton B. Joslin, U. S. N. R., upon his promotion, and express their appreciation of the services he rendered to the State and to Members of the Assembly during his sojourn in civilian life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit to Commander Hamilton B. Joslin a suitably engrossed copy of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Connolly:

House Resolution No. 172

Relative to the study of the Alcoholic Beverage Control Act

WHEREAS, There was pending before the Board and Commissions Committee of the Assembly, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees, and

WHEREAS, Said committee voted that the subject matter should be studied by an interim committee and that the Assembly should, by resolution, request the State Board of Equalization to preserve the status quo with respect to any action in connection with the problem; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly interim committee which may be authorized and directed to study any aspects of the Alcoholic Beverage Control Act is also hereby authorized and directed to investigate, study, and report all facts relating to the subject matter of Assembly Bill No. 3395 of this session, relating to the problem of a beer and wine wholesale licensee delivering such products to himself as a retail licensee; and be it further

Resolved, That the State Board of Equalization is requested to preserve the status quo with respect to its deliberations on this problem pending such investigation, study, and report; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Board of Equalization.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 63: By Mr. George D. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article XI, relating to compensation for public service.

Referred to Committee on Constitutional Amendments.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 957, on request of Mr. Dolwig.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Niehouse:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Respectfully submitted.

KATHRYN T. NIEHOUSE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mrs. Niehouse:

An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3450: By Mrs. Niehouse—An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Referred to Committee on Judiciary.

CONSIDERATION OF PROPOSED AMENDMENTS TO STANDING RULES NOS. 8 AND 10

Motion to Amend

Mr. Silliman moved the adoption of the following amendments to Standing Rules Nos. 8 and 10:

Amendments to Standing Rules Nos. 8 and 10

8. ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A. Legislature:~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created* .

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~ . *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.*

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions

10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee *, except the Committee on Rules which is hereinabove provided for* . Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

(l) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(m) The provisions of subdivision (l) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(n) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

Amendments read.

Request for Unanimous Consent That All Proposed Amendments to Standing Rules Nos. 8 and 10 Be Considered Prior to Being Printed

Mr. Silliman asked for unanimous consent that his, and all other proposed amendments to Standing Rules Nos. 8 and 10, be discussed, and considered prior to being printed.

Mr. Hollibaugh withheld unanimous consent.

Motion That All Proposed Amendments to the Standing Rules Be Considered Prior to Being Printed

Mr. Waters moved that all proposed amendments to Standing Rules Nos. 8 and 10 be considered prior to being printed.

Point of Order

Mr. Dolwig arose to the following point of order: That, as only the amendments being offered by Mr Silliman to Standing Rules Nos 8 and 10 are before the House, the motion by Mr. Waters is not in order, at this time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Silliman to Rules 8 and 10.

Substitute Motion to Amend

Mr. Geddes moved the adoption of the following amendments to Standing Rule No. 8:

Amendment No. 1

In the proposed amended Rule No. 8, as printed in the Assembly Journal for June 1, 1951, in (a) (1) at page 5037, after the comma following the words "as amended", and before the word "file", insert "convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The

members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall"

Amendment No. 2

On page 5037 in the line beginning "tion" and before the words "who shall be thereafter approved" etc, insert "which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee".

Amendment No. 3

On page 5037 of the Assembly Journal for June 1, 1951, strike out next to the last sentence reading "No member of the Committee on Rules is eligible to serve as the chairman of a standing committee."

Amendment No. 4

On page 5039 of the Assembly Journal for June 1, 1951, in the paragraph which appears entirely in italics, strike out the words "a majority", and insert "two thirds".

At the end of the same sentence before the period, insert "or special interim or investigating committee"

Amendments read.

Division of the Question

Mr. Silliman asked for a division of the question

By unanimous consent, it was agreed that the division of the question would be as follows:

1. Consideration of Amendments Nos. 1 and 2.
2. Consideration of Amendment No. 3.
3. Consideration of Amendment No 4

Consideration of Proposed Amendments Nos. 1 and 2 by Mr. Geddes to Standing Rule No. 8

Amendment No. 1

In the proposed amended Rule No. 8, as printed in the Assembly Journal for June 1, 1951, in (a) (1) at page 5037, after the comma following the words "as amended", and before the word "file", insert "convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall".

Amendment No. 2

On page 5037, in line beginning "tion" and before the words "who shall be thereafter approved" etc., insert "which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee".

Amendments read.

Speaker Presiding

At 2.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Motion That Consideration of Motion by Mr. Silliman Be Postponed

Mr. Doyle moved that consideration of the motion by Mr. Silliman be postponed until the session in March, 1952.

Motion died for lack of a second.

The question being on the motion by Mr. Geddes that his proposed Amendments Nos. 1 and 2 to Standing Rule No. 8 be adopted.

Roll Call Demanded

Messrs. Hinckley, Geddes, and Waters demanded a roll call.

The roll was called, and Amendments Nos. 1 and 2 offered by Mr. Geddes to Standing Rule No. 8 adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—63

NOES—Hollibaugh, McCollister, McMillan, and Porter—4.

Consideration of Amendment No. 3 Offered by Mr. Geddes to Standing Rule No. 8

Amendment No. 3

On page 5037 of the Assembly Journal for June 1, 1951, strike out next to the last sentence reading "No member of the Committee on Rules is eligible to serve as the chairman of a standing committee."

Amendment read.

Roll Call Demanded

Messrs. Geddes, Hinckley, and Waters demanded a roll call.

The roll was called, and Amendment No. 3, offered by Mr. Geddes to Standing Rule No. 8, refused adoption by the following vote:

AYES—Brady, Crowley, Doyle, Dunn, Geddes, Porter, and Thomas—7.

NOES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59

Request for Unanimous Consent That Proposed Amendment Be Changed

Mr. Geddes asked for, and was granted, unanimous consent that his proposed amendment No. 4 to Standing Rule No. 8 be changed as he will presently read it from the floor, and that the changed amendment be considered in lieu of the original amendment.

Consideration of Changed Amendment No. 4 Offered by Mr. Geddes to Standing Rule No. 8

Amendment No. 4

On page 5039 of the Assembly Journal for June 1, 1951, in the paragraph which appears entirely in italics, at the end of the sentence, before the period, insert "or special interim or investigating committee".

Amendment read.

Roll Call Demanded

Messrs. Geddes, Hinckley, and Conrad demanded a roll call.

The roll was called, and Amendment No. 4, offered by Mr. Geddes to Standing Rule No. 8, adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb,

Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—55

NOES—Berry, Burkhalter, Coats, Dickey, Dills, Dolwig, Elliott, Evans, Hawkins, Hollibaugh, Lowrey, Lyon, McCollister, McMillan, and Rosenthal—15.

Request for Unanimous Consent That Chief Clerk Be Authorized to Make Needed Page and Line Changes

Mr. Hawkins asked for, and was granted, unanimous consent that the content of his proposed amendment to Standing Rule No. 8 be taken up, at this time, and that the Chief Clerk be authorized to make needed page and line changes occasioned by the adoption of above amendments offered by Mr. Geddes.

Consideration of Further Amendments to Standing Rule No. 8

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment to Standing Rule No. 8:

Amendment No. 1

On page 5037 in the paragraph following the line which reads "(1) Committee on Rules", in the fifth line of said paragraph, strike out "the Chair-"; and strike out lines 6 to 18, inclusive, of said paragraph and insert "Membership on the Rules Committee shall be by election of the party caucus. No other approval shall be necessary. The chairman of each party caucus, shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk the names of the members of the party selected by the caucus for membership on said committee. Vacancies in the Committee on Rules".

Amendment read.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Hawkins is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Roll Call Demanded

Messrs. Hawkins, Elliott, and Thomas demanded a roll call.

The roll was called, and the amendment offered by Mr. Hawkins to Standing Rule No. 8 refused adoption by the following vote:

AYES—Brady, Dunn, Elliott, Evans, Hawkins, and Thomas—6

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—65.

The question being on the adoption of amendments offered by Mr. Silliman to Standing Rules Nos 8 and 10, as amended.

Substitute Motion

Mr. Dolwig moved that the proposed amendments to Standing Rules Nos. 8 and 10, being offered by Mr. Silliman, be referred to a Special Committee comprised of nine members, three to be appointed by the Speaker, three to be appointed by the Democratic Caucus, and three to be appointed by the Republican Caucus; and that said committee report back to the Assembly, with a solution, on January 1, 1953.

Mr. Doyle seconded the motion.

Point of Order

Mr. Hagen arose to the following point of order: That Mr. Evans is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Evans is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Sherwin arose to the following point of order: That, pursuant to the provisions of the House Rules, the subject matter in Mr. Dolwig's motion, if it carries, will have to be referred to the Committee on Rules, and as there is no provision in the Rules covering the appointment of the proposed nine man committee, the Speaker would have to appoint such a committee.

Ruling by Speaker

Speaker Sam L. Collins, having ruled that the motion by Mr. Dolwig is in order, ruled the point of order by Mr Sherwin not well taken, at this time, but announced that, as there are no provisions in the present Rules to cover the above issue, the Speaker would have to appoint such a committee, and the point of order may be well taken at a later time.

The question being on the motion by Mr. Dolwig.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Collier is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Stewart, Caldecott, Lincoln, Lowrey, and Fleury demanded the previous question.

Roll Call Demanded

Messrs. Munnell, Beck, and Lowrey demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Caldecott, Collier, Hagen, Luckel, Moss, Shaw, and Smith—7.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

The question being on the motion by Mr. Dolwig that a Special Committee of Nine be named to consider proposed amendments to Standing Rules Nos. 8 and 10, and that said committee report its findings to the Assembly on January 1, 1953.

Demand for Previous Question

Messrs. Conrad, Shaw, Babbage, Henderson, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Dolwig.

The roll was called, and the motion lost by the following vote:

AYES—Berry, Brady, Burkhalter, Chapel, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Kelly, Levering, Lyon, McCollister, McMillan, Niehouse, Porter, and Thomas—23

NOES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—51.

The question being on the motion by Mr. Silliman that his amendments to Standing Rules Nos. 8 and 10, as amended, be adopted.

Question of Personal Privilege

Mr. Geddes arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled the question of personal privilege not well taken.

The question being on the motion by Mr. Silliman that his amendments to Standing Rules Nos. 8 and 10, as amended, be adopted.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—48.

NOES—Berry, Brady, Burkhalter, Chapel, Condon, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Lipscomb, Luckel, Lyon, McCollister, McMillan, Morris, Niehouse, Porter, Rumford, Smith, and Thomas—27.

STANDING RULES NOS. 8 AND 10, AS AMENDED

8. (a) Two committees to consider legislative organization, functions and procedure are hereby created.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as the executive committee of the House. The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall

have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdicition the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee, except the Committee on Rules which is hereinabove provided for Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee or special interim or investigating committee.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

(*l*) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(m) The provisions of subdivision (*l*) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(n) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

CONSIDERATION OF FURTHER AMENDMENTS TO STANDING RULES NOS. 9, 8, AND 10

Notice of Motion to Amend Standing Rule No. 9 Waived

Mr. Fleury waived his notice of motion to amend Standing Rule No. 9.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments to Standing Rules Nos. 8 and 10:

Amendments to Standing Rules Nos. 8 and 10

8 ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A. Legislature:~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~ . *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the ballotting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.*

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To appoint the membership, except that of the Committee on Rules, of all standing, special and interim committees, and their respective chairmen and vice chairmen.

To propose a schedule of meetings of standing committees.

To check all Assembly bills and House resolutions prior to introduction and all Senate bills before reference to committee and to designate the committees to which they shall be referred.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the com-

mittees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

Wherever in Assembly Standing Rules authority is conferred upon the Speaker to appoint committee members or to refer matters to a committee, the word "Speaker" shall hereafter mean "Committee on Rules."

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. The committee shall have authority to fill vacancies in any Assembly committee, except those in the Committee on Rules, or to fill vacancies in the Assembly membership of any joint committee. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

~~To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.~~

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government

15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the ~~Speaker~~ *Committee on Rules* shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the ~~Speaker~~ *Committee on Rules* thereafter shall determine the number and members to serve on each standing committee *, except the Committee on Rules which is hereinabove provided for* . Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee or special interim or investigating committee.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the ~~Speaker~~ *Committee on Rules* or the approval of the House a member may serve on four committees

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

~~(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.~~

~~(f) To propose a schedule of meetings of standing committees.~~

~~(g)~~ *(e)* To have general control and direction over the Journals, papers, and bills of the Assembly.

~~(h)~~ *(f)* To act as Chairman of Committee of the Whole.

~~(i)~~ *(g)* To order the Lobby and Gallery cleared whenever he shall deem it necessary.

~~(j)~~ *(h)* To assign desks to properly accredited newspaper representatives.

~~(k)~~ *(i)* To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

~~(l)~~ *(j)* The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(k) The provisions of subdivision (j) of this rule do not apply to the Speaker as a member of the Committee on Rules

(l) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

Amendments read.

Substitute Motion to Amend

Mr. Hawkins moved the adoption of the following amendments to Standing Rule No. 8:

Amendment No. 1

On page 4919 of the Assembly Journal of May 30, 1951, in the paragraph following the line which reads "(1) Committee on Rules", in the third line of said paragraph, strike out "six", and strike out lines 4 to 18, inclusive, of said paragraph, and insert "eight other members The members of the Rules Committee and of all standing, special and interim committees hereafter appointed by it, shall be composed of members of the two major political parties represented in the Assembly, in the exact ratio as far as practicable, as those parties are represented in the Assembly as a whole. Chairmanships and vice chairmanships of all Assembly committees, other than the Committee on Rules, shall be shared between the two major political parties in the same ratio as prescribed above for committee memberships

Membership on all Assembly committees, including the membership of the Committee on Rules, other than the Speaker, shall be by election of the party caucus and based on seniority. No other approval shall be necessary. The chairman of each party caucus shall, within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk the names of the members of the party selected by the caucus for membership on each committee. Vacancies in the membership of any committee, including the Committee on Rules, occurring during any session of the Legislature shall be filled by".

Amendment No. 2

In line 23 of said paragraph, strike out "Four", and insert "Five".

Amendment No. 3

In line 23 of said paragraph, before "committee", insert "Rules"

Amendments read.

Amendments Withdrawn

Mr. Hawkins withdrew his amendments.

The question being on the motion by Mr. Fleury that his amendments to Standing Rules Nos. 8 and 10 be adopted.

Demand for Previous Question

Messrs. Conrad, Collier, Levering, Lanterman, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Fleury that his amendments to Standing Rules Nos. 8 and 10 be adopted.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Beck, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Erwin, Fleury, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kirkwood, Klocksiem, Lowrey, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, and Waters—31.

NOES—Belotti, Berry, Brady, Burkhalter, Cloyed, Crowley, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Niehouse, Porter, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—39.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill 1647, entitled. "An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches."

My objections to this bill are as follows:

The purpose of the bill is not to grant exemption to churches, but to change the procedure for claiming such exemption. There is a difference in the procedure for claiming exemption under the welfare exemption provisions now exempting all church property and the church exemption applicable solely to real property. In an attempt to secure uniformity of procedure in claiming the exemption, this bill attempts to provide a second exemption for such personal property analogous to the real property exemption

In adopting this bill, however, there has been a failure to comply with a constitutional requirement. The Constitution in Section 14 of Article XIII authorizes the Legislature to exempt personal property from taxation "two-thirds of all the members elected to each of the two houses voting in favor thereof." The Senate Journal of May 18th shows that this measure was adopted by the Senate by a vote of 21 to 0. Thus the required two-thirds vote was not had in the Senate

This difficulty and the difficulty of having an undesirable duplicating exemption in the Revenue and Taxation Code could have been avoided had this bill been differently phrased The bill could have been in the form of an amendment to Section 255 of the Revenue and Taxation Code changing the procedure for the claiming of this exemption Had it been worded to do directly what it attempted to do by indirection, this difficulty could have been avoided

The failure of this bill will not affect the right of churches to this exemption. It will only affect the procedure for claiming it.

The veto of this bill has been suggested to the author and is agreeable to him.

For these reasons I am returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1647

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1951

I acknowledge receipt this fourth day of June, 1951, at 3 25 o'clock p.m of Assembly Bill No 1647 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Erwin to reconsider the vote whereby Senate Concurrent Resolution No. 82 was adopted, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 494 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Messrs. Munnell and Dunn to reconsider the vote whereby Assembly Constitutional Amendment No. 54 was adopted, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2214 BE RE-REFERRED TO COMMITTEE

Mr. Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 2214 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 191 HOLD PLACE ON FILE

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No 191 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Elliott asked for unanimous consent that an opinion of the Legislative Counsel, relative to the number of delegates to national party conventions, be ordered printed in the Journal, in 10 point type.

Mr. Waters withheld unanimous consent.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, June 5, at 7.30 a.m., at Hart's restaurant.

Mr. Babbage announced that the gifts of dates, which have been placed on the desks of members, are there through the courtesy of the California Date Grower's Association of Indio.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Judiciary, in Room 2170.
Military Affairs, in Room 426.

Today Upon Adjournment—

Boards and Commissions, in Room 426.
Legislative Representation, in Room 3147.

Next Thursday, June 7th, at 8 p m —

Ways and Means.

It was announced that the following committees would hold no meetings today:

Public Utilities and Corporations.
Finance and Insurance.
Ways and Means.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Paul Dietriech of Los Angeles

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Frank Gibson of San Diego.

On request of Messrs. Munnell and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mildred Hobbs and Jane Erickson of Concord.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Jas. C. Toothaker of San Diego

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Harry Marks of Modesto.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Edwin E. Niessner, teacher, and the following pupils of the Victor School: Gerald Bechthold, Karen Floth, Patricia Handel, Burness Mettler, LaVerne Mettler, Allean Pfeifer, Darrell Scott, Raymond McMurtrie, Shirley Rempfer, Tommy Bender, Mary Harrison, Stanley Leake, Mariane Mehlhaff, Jerry Mettler, Carl Schmiedt, Donna Schmierer, Rusty Twitty, Ernest Yarborough, Wanda Yarborough, Delores Zimbleman, Stanley Taniguchi, Virgil Konschak, and Juanita Harmon.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Everitt Mossmen and Mrs. Jas. Richardson, adults, and the following members of the Vallejo Council Camp Fire Girls: Margaret Duncan, Valerie Herrman, Phyllis House, Ellen Locke, Nancy Perez, Janet Wanger, Sandra Orr, Edith Pine, Karen Baker, and Carol Williams.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Zimmerman, and Mrs. Finn, teachers, Mrs. Weant, mother, Larry Zimmerman, mascot, and the following Girl Scouts from Walnut Creek: Rosalie Andersen, Jill Best, Karen Bringolf, Patricia Finn, Gail Hawkins, Judy Knowelton, Jackie Laverly, Barbara Lohse, Judy Larsen, Arlene Marcyes, Joan McCarthy, Bette Platner, Susan Sommarstrum, Lynne Slater, Lynne Truman, Nancy Trimble, Nancy Weant, Charlotte Webb, and Carol Zimmerman.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to John K. Northrop of Inglewood.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Mickey Gillette of Hollywood.

ADJOURNMENT

At 5.39 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, June 5, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 5, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

Eternal God, Our Heavenly Father, Cleanse our hearts from all evil and hatred and malice, forgetting the things that are behind that we may press toward the mark for the prize of the high calling of God in Christ Jesus.

Be with our loved ones at home Guard those who serve as defenders of our beloved Nation. Grant guidance to those who bear the burden of leadership and responsibility throughout our Nation.

"O Trinity of love and power,
Our brethren shield in danger's hour;
From rock and tempest, fire and foe,
Protect them wheresoe'er they go;
Thus ever let there rise to Thee
Glad hymns of praise from land and sea."

In Jesus' name.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Condon, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Stanley.
Mr. Cooke, on motion of Mr. Stanley.
Mr. Burke, on motion of Mr. Doyle.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the usual annual picture of all Senators and Assemblymen will be taken by the California Real Estate Association, on Friday, June 8th, upon recess at noon, on the north Capitol steps, and urged prompt group attendance at 12 noon.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 545
Assembly Bill No. 1088

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 28

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to appropriations of public funds.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 188
Assembly Bill No 767
Assembly Bill No 2065
Assembly Bill No. 2907

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 272 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 372
Senate Bill No. 913
Senate Bill No. 1563
Senate Bill No. 1587
Senate Bill No. 1659
Senate Bill No. 1660
Senate Bill No. 1661

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 51
Senate Bill No 144
Senate Bill No. 277
Senate Bill No. 378
Senate Bill No. 714
Senate Bill No. 1016
Senate Bill No. 1061
Senate Bill No. 1149
Senate Bill No. 1154
Senate Bill No 1157
Senate Bill No. 1225
Senate Bill No. 1360
Senate Bill No. 1361
Senate Bill No 1492
Senate Bill No 1528
Senate Bill No. 1569
Senate Bill No. 1570
Senate Bill No. 1630

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 51—An act to add Section 8.5 to the Municipal and Justice Court Act of 1949, relating to the election of municipal court judges in the City and County of San Francisco, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Judiciary.

Senate Bill No. 277—An act to amend Section 66 of the Code of Civil Procedure, relating to superior court judges.

Referred to Committee on Judiciary.

Senate Bill No. 378—An act to amend Sections 18051 and 18057 of the Education Code, relating to powers of school district governing boards.

Referred to Committee on Education.

Senate Bill No. 714—An act to add Sections 55.1, 55.2, and 55.3 to the State Water Resources Act of 1945, relating to the project on the Russian River for flood control and water conservation.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1016—An act to repeal the Political Code of the State of California, relating to the organization, operation, and maintenance of a System of State and Local Government.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1061—An act to repeal Section 1367 of the Fish and Game Code, relating to commercial hunting clubs.

Referred to Committee on Fish and Game.

Senate Bill No. 1149—An act to amend Section 439 of the Education Code, relating to school superintendents' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1154—An act to amend Section 28139 of, and to add Section 28159 to, the Government Code, relating to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1157—An act to amend Section 431 of the Education Code, relating to school superintendents' salaries in counties of the thirty-first class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1225—An act to amend Section 28123 of the Government Code, relating to compensation for public services in counties of the twenty-third class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1361—An act providing for the constitution of a municipal court in a district embracing the City of Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1492—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college faculty members.

Referred to Committee on Education.

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of legislators and other state elective officers.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1569—An act to amend Section 5821 of the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1570—An act to amend Section 34326 of, and to add Section 34333 to, the Government Code, relating to the incorporation of cities and the withdrawal of territory therefrom.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1630—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1995—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1993—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code, relating to the motor vehicle fuel storage tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In the second line of the title of the printed bill, after "Code", insert "and to amend Section 7403 of that Code"

Amendment No. 2

In the third line of the title of the printed bill, after "tax", insert "and to motor vehicle fuel export certificates".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, after line 6, insert

"SEC. 2. Section 7403 of the Revenue and Taxation Code is amended to read:

7403. All export certificates shall be completed and be on file in the office of the board within [60] *90* days after the close of the calendar month in which the shipments to which they relate are made. A certificate not completed and filed within this period shall not be recognized for any purpose by the State."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2335—An act to provide for a tax on operators of cigar, cigarette, and tobacco vending machines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "provide for a tax on operators of cigar, cigarette,"; and strike out line 2, and insert "add Part 1.5 to Division 2 of the Revenue and Taxation Code, relating to taxation of cigarette vending machines"

Amendment No. 2

On page 1, line 1, of said bill, strike out "A tax is hereby imposed upon all persons,", and strike out lines 2 to 8, inclusive, and insert "Part 1.5 is added to Division 2 of the Revenue and Taxation Code to read:

PART 1.5. CIGARETTE VENDING MACHINE TAX

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

7200. This part is known and may be cited as the "Cigarette Vending Machine Tax Law."

7201. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

7202. "Cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

7203. "Vending machine" and "machine" means every mechanical device:

(a) The operation of which depends upon the insertion of a coin, token or similar object, and

(b) Which dispenses or vends cigarettes.

7204. "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, city, district, or other political subdivision of this State, or any other group or combination acting as a unit.

7205. "Owner" means any person having the title to, or the possession, control or management of, any vending machine.

7206. "Board" means the State Board of Equalization

CHAPTER 2. IMPOSITION OF TAX

7210. An annual tax is hereby imposed upon the privilege of owning a vending machine in this State The tax is ten dollars ($10) for each such machine, to be paid by the owner thereof in accordance with the provisions of this part.

In the case of a person who files an application pursuant to and within the time specified in Section 7221, the tax shall be reduced by one-twelfth for each month, or fraction thereof, which shall have elapsed since the fifteenth day of April next preceding the filing of the application.

CHAPTER 3. LICENSES

7220 On or before the fifteenth day of April, 1952, and on or before the fifteenth day of April of each succeeding year, every owner of a machine kept or operated in this State shall file an application with the board for a license for such machine.

7221. Every person who becomes the owner of a machine after the fifteenth day of April of any year, and prior to the fifteenth day of April of the next succeeding year, shall file an application with the board for a license for such machine within ten days from and after the date on which he becomes the owner of the machine.

7222 An application for a license shall be made upon a form prepared and furnished by the board It shall set forth the full name and residence address of the applicant; the location of his place or places of business, a description of the machine, including its serial number, if any; the place where the machine is kept or operated; and such other information as the board may require

The application shall be signed, if the applicant is a natural person, by such person; if the applicant is an association or partnership, by a member or partner thereof; if the applicant is a corporation, by an executive officer thereof, or by some person specifically authorized by the corporation to sign the application, to which shall be attached written evidence of his authority.

7223 At the time of making application for a license, the applicant shall pay to the board the tax imposed by this part

7224. A separate license is required for each machine.

If an applicant desires a license for more than one machine he may file a single application therefor, but shall pay a separate tax for each such license.

7225. Upon compliance with the provisions of this part by the applicant, the board shall grant and issue to him a vending machine license for each machine specified in his application.

7226 Each license issued shall be issued in the name of a given licensee for a specified machine to be kept on designated premises The license cannot be assigned to another person or transferred to another machine.

The board may permit the removal of a machine to premises other than those specified in the license.

7227. The license shall be of the sticker type, and shall contain the name and address of the applicant and the serial number or other means of positively identifying the machine for which it is issued, together with such other information as the board deems necessary.

7228. Upon receipt of the license, the applicant shall immediately affix it to a conspicuous part of the machine for which it is issued.

7229. A license issued under this part is valid and effective until the fifteenth day of April next succeeding the year for which it is issued, unless sooner revoked, suspended, or surrendered.

7230. If any licensee fails to comply with the provisions of this part, or any rule or regulation of the board adopted pursuant to this part, the board upon hearing, after giving such person 10 days' notice in writing specifying the time and place of such hearing and requiring him to show cause why his license should not be revoked, may suspend or revoke the license of such person. The notice may be served personally or by mail. If it is served by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the licensee at his address appearing on the records of the board.

7231. A penalty of five dollars ($5) shall be added to the tax payable under this part in any case where an application for a license is not filed with the board within the time specified in this part.

CHAPTER 3. COLLECTION OF TAX

7240 The board may seize any vending machine for which a license has not been issued, or to which a license has not been affixed, pursuant to this part, together with the contents of such machine.

7241. Any machine and the contents thereof seized by the board pursuant to Section 7240 are forfeited to the State, and may either be destroyed or sold by the board within a reasonable time after the seizure. Notice of any sale shall be published for at least five days prior to the date of the sale in a newspaper of general circulation published in the county or city and county in which the machine and its contents are to be sold, or, if there is no such newspaper therein, such notice shall be posted for at least five days in a prominent place upon the premises in which the machine and its contents were found.

CHAPTER 3. ADMINISTRATION

7245. The administration of this part is vested in the board. For that purpose it may make and enforce necessary rules and regulations and employ necessary accountants, auditors, investigators and assistants.

7246. Every owner shall keep such records, receipts, invoices and other pertinent papers respecting his vending machines and cigarettes sold or dispensed thereby as the board may require.

CHAPTER 4. DISPOSITION OF PROCEEDS

7250. All taxes and penalties paid under this part, the proceeds from the sale of any vending machine or contents thereof seized and sold pursuant to this part, and any money found in any such machine at the time of seizure shall be deposited in the State Treasury to the credit of the Cigarette Vending Machine Fund, which fund is hereby created. All taxes and penalties shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California.

7251. The money in the Cigarette Vending Machine Fund is hereby appropriated as follows:

(a) Upon the order of the State Controller, for the payment of refunds under this part.

(b) For expenditure by the board in carrying out the provisions of this part.

(c) For expenditure by the Department of Finance in maintaining and operating the Veterans' Home situated at Yountville, Napa County.

CHAPTER 5. VIOLATIONS

7255. Every person who owns a vending machine for which a license has not been issued under this part, or who permits such a machine to be kept on any premises owned, leased or occupied by him, is guilty of a misdemeanor

7256. Every owner of a vending machine subject to the provisions of this part is subject also to all the provisions of Section 308 of the Penal Code The board is hereby charged with the duty of securing compliance with the latter by every such owner, as well as with the provisions of this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3027—An act to provide for the assessment of property for tax purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, after "multiple", insert "or fraction".

Amendment No. 2

On page 1, line 8, of said bill, after "multiple", insert "or fraction".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: Your Committee on Military Affairs, to which was referred:
Senate Bill No. 1203

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Senate Bill No. 1200

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 1879
Assembly Bill No. 2631
Assembly Bill No. 3183

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.
Assembly Bill No. 2283
Assembly Bill No 3433

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No 2479

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1806
Assembly Bill No. 2944
Assembly Bill No. 2947
Assembly Bill No 3348
Assembly Bill No. 3374

And reports the same correctly engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2944 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3348 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1806 re-referred to the Committee on Agriculture.

Assembly Bill No. 3374 re-referred to the Committee on Ways and Means.

Assembly Bill No. 2479 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2947 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99 BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that the report of the Committee on Conference concerning Assembly Bill No. 99 be ordered printed in the Journal, without action, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, read, and ordered printed in the Journal without action, at this time:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A non-profit corporation or association which has been in existence for not less than one year and which is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, having at least one hundred bona fide members, and requiring the payment of regular membership dues amounting to not less than twelve dollars ($12) a year."

Amendment No. 2

On page 3, line 42, of said bill, strike out "April 1, 1947", and insert "April 1, 1951".

	McCOLLISTER
WAY	LYON
BURNS	DOYLE
Senate Committee on Conference	Assembly Committee on Conference

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 11, 1951, be further amended as follows:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 11 1951, strike out "6515.5", and insert "6515".

Amendment No. 2

On page 1, line 17, of said bill, strike out "6515 5", and insert "6515".

DESMOND	FLEURY
TENNEY	HAWKINS
JAMES E CUNNINGHAM	SILLIMAN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, Meyers, Moss, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 542—An act to amend Section 3077 of the Labor Code, dealing with the Apprenticeship Labor Standards Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 542?

Amendment No. 1

In lines 13 and 14 of the printed bill, strike out "to be as established by the industry for that particular trade or occupation and", and insert "shall be".

Amendment No. 2

In line 15 of said bill, after "case", insert "shall provide for".

Amendment No. 3

In line 16 of said bill, strike out "and" after "person".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 542 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 542 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 494

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 494 was passed be reconsidered.

The roll was called, and Assembly Bill No. 494 reconsidered by the following vote:

AYES—Belotti, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Geddes, Grant, Grunsky, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—41.

NOES—Babbage, Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Elliott, Gaffney, Hagen, Hawkins, Henderson, Lowrey, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, and Shaw—23.

Assembly Bill No. 494 ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1995

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 1426

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred.

Senate Bill No. 544	Senate Bill No 1168
Senate Bill No 545	Senate Bill No. 1171
Senate Bill No. 790	Senate Bill No. 1172
Senate Bill No. 1002	Senate Bill No. 1173

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 1560

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2	Assembly Bill No. 1416
Assembly Bill No. 712	Assembly Bill No. 2384

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1431

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 954	Assembly Bill No. 1483
Assembly Bill No. 955	Assembly Bill No. 1486
Assembly Bill No. 1162	Assembly Bill No. 1487

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 2120

Mr. Lipscomb asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 2120 for further consideration.

RECONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 82

In compliance with a notice given on a previous day, Mr. Erwin moved that the vote whereby Senate Concurrent Resolution No. 82 was adopted be reconsidered.

The roll was called, and Senate Concurrent Resolution No. 82 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Senate Concurrent Resolution No. 82 ordered on file for adoption.

FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 82

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "Hatch v. Wildlife Conservation Board."

Resolution read.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, between lines 17 and 18, insert "for the purpose of representing the interest of the Legislature in respect to the service of Members of the Legislature on the State Public Works Board and the Wildlife Conservation Board,".

Amendment read, and adopted.

Consideration of Senate Concurrent Resolution No. 82, as Amended (By Unanimous Consent)

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "Hatch v. Wildlife Conservation Board."

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 880—An act to add Sections 31470.1, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31520.1, 31558, 31720.5, 31726.5, 31727.2, 31727.4, 31765, 31785, 31786, 31787, 31788, and Article 6.5 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31521, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676.2, and 31676.4 of the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 880?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "31470.1", and insert "31469.3".

Amendment No. 1.5

In line 2 of the title of said bill, as amended, after "31558," insert "31671.6,".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "31765", and insert "31760.1, 31765.1,".

Amendment No. 3

In line 4 of the title of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 4

In line 7 of the title of said bill, as amended, after "31583," insert "31595,".

Amendment No. 5

On page 1, line 9, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 6

On page 2, line 5, of said bill, as amended, strike out "31470.1", and insert "31469.3".

Amendment No. 7

On page 2, line 8, of said bill, as amended, strike out "31470.1", and insert "31469.3".

Amendment No. 8

On page 2, line 10, of said bill, as amended, strike out "31470.1", and insert "31469.3".

Amendment No. 9

On page 4, line 6, of said bill, as amended, strike out "6.5", and insert "6 8".

Amendment No. 10

On page 4, lines 31 and 32, of said bill, as amended, strike out "ten dollars ($10)", and insert "fifteen dollars ($15)".

Amendment No. 11

On page 6, line 6, of said bill, as amended, strike out "31470.1", and insert "31469.3".

PRINTER'S NOTE—*There being no 7-point strikeout type available, the material* which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 12

On page 6, line 47, of said bill, as amended, after "Section", insert "31595 of the Government Code is amended to read:

31595. All funds received by the county treasurer not required for current disbursements shall be invested only in

(a) Securities which are legal for savings bank investments in the State.

(b) Deposits at interest in any state or national bank in accordance with law authorizing and controlling the deposit of public funds in banks.

(c) Certificates and shares of a building and loan association or a federal savings and loan association if the certificates or shares are insured as defined in Title IV of the National Housing Act.

(d) Registered warrants of any political subdivision of this State.

(e) Real property or improvements constructed or to be constructed on real property when such real property or such improvements are acquired for sale or lease to the county in which the retirement system is established and subject to the limitations of this article.

(f) Deeds of trust, mortgages, common stock, preferred stock, and investment trusts. Not to exceed 10 percent of all funds invested may be invested pursuant to this subdivision. [Such investment may be made by the retirement board with the approval of the board of supervisors of said county.]

SEC. 23 1. Section".

Amendment No. 13

On page 6, line 50, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 14

On page 7, line 7, of said bill, as amended, strike out "6 5", and insert "6 8".

Amendment No. 15

On page 8, line 16, of said bill, as amended, strike out "6.5", and insert "6 8".

Amendment No. 16

On page 8, line 19, of said bill, as amended, strike out "6 5", and insert "6.8".

Amendment No. 17

On page 8, line 25, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 18

On page 8, line 31, of said bill, as amended, strike out "6 5", and insert "6 8".

Amendment No. 19

On page 8, line 39, of said bill, as amended, strike out "6 5", and insert "6.8".

Amendment No. 20

On page 8 of said bill, as amended, between lines 40 and 41, insert

"Article 6.8. Safety Members' Contributions."

Amendment No. 21

On page 8, line 41, of said bill, as amended, strike out "31630", and insert "31639".

Amendment No. 22

On page 8, line 43, of said bill, as amended, strike out "31631", and insert "31639.1".

Amendment No. 23

On page 8, line 46, of said bill, as amended, strike out "31632", and insert "31639.2".

Amendment No. 24

On page 8, line 51, of said bill, as amended, strike out "31633", and insert "31639.3".

Amendment No. 25

On page 9 of said bill, as amended, strike out lines 6 to 15, inclusive, and insert

"21	7.24	29	10.02
22	7.50	30	10.52
23	7.78	31	10.15
24	8.08	32	9.80
25	8.41	33	9.45
26	8.76	34	9.11
27	9.15	35	8.77".
28	9.56		

Amendment No. 26

On page 9, line 17, of said bill, as amended, strike out "31634", and insert "31639.4".

Amendment No. 27

On page 9, line 18, of said bill, as amended, strike out "40", and insert "35".

Amendment No. 28

On page 9, line 22, of said bill, as amended, strike out "31635", and insert "31639.5".

Amendment No. 29

On page 9 of said bill, as amended, between lines 27 and 28, insert

"Article 7.5. Retirement of Safety Members for Service."

Amendment No. 30

On page 12 of said bill, as amended, between lines 16 and 17, insert

"SEC. 29.5. Section 31671.6 is added to the Government Code, to read:

31671.6. In any county subject to the provisions of Section 31676.1 every officer holding an elective office shall be retired at the end of the first term to which he is elected which commences on a date following his seventieth birthday."

Amendment No. 31

On page 14 of said bill, as amended, strike out lines 26 to 39, inclusive, and insert

"SEC. 36. Section 31760.1 is added to the Government Code, to read:

31760.1. Upon the death of any member, after retirement for service or disability from a retirement system established in a county subject to the provisions of Section 31676.1, 60 percent of his retirement allowance if not modified in accordance with one of the optional settlements specified in this article, shall be continued to his surviving spouse throughout life. No allowance, however, shall be paid under this section to a surviving spouse unless she or he was married to the member at least one year prior to the date of his retirement.

SEC. 36.1. Section 31765.1 is added to the Government Code, to read:

31765.1. Upon the death of any member of a retirement system established in a county subject to the provisions of Section 31676.1, eligible for retirement pursuant to Article 8, who leaves a spouse designated as beneficiary, such surviving spouse may, in lieu of the death benefit provided for in Article 12, elect to receive a retirement allowance equal to 60 percent of the amount to which she or he would be entitled had the member retired on the date of his death with a retirement allowance not modified in accordance with one of the optional settlements specified in Article 11."

Amendment No. 32

On page 14, lines 45 and 46, of said bill, as amended, strike out "or until remarriage".

Amendment No. 33

On page 14, line 47, of said bill, as amended, after "dies", strike out "or remarries".

Amendment No. 34

On page 14, line 50, of said bill, as amended, after "lived", strike out "and not remarried".

Amendment No. 35

On page 15, line 4, of said bill, as amended, strike out "five years", and insert "one year".

Amendment No. 36

In line 7 of the title of the printed bill, as amended in the Senate on May 23, 1951, strike out "31552, 31553,"; and strike out line 8 thereof, and insert "31581, 31582, 31583, 31621,".

Amendment No. 37

In line 9 of the title of said bill, as amended, strike out "31676.2 and 31676.4", and insert "31676.4, 31731, 31734, and 31735".

Amendment No. 38

On page 2, line 16, of said bill, as amended, strike out "district, or court", and insert "subject to Section 31676.1 or by a district or court organized or existing within such a county,".

Amendment No. 39

On page 4 of said bill, as amended, strike out lines 34 to 52, inclusive; and on page 5, strike out lines 1 to 46, inclusive.

Amendment No. 40

On page 5, line 47, of said bill, as amended, strike out "19", and insert "14".

Amendment No. 41

On page 6, line 13, of said bill, as amended, strike out "20", and insert "15".

Amendment No. 42

On page 6, line 25, of said bill, as amended, strike out "21", and insert "16".

Amendment No. 43

On page 6, line 39, of said bill, as amended, strike out "22", and insert "17".

Amendment No. 44

On page 6 of said bill, as amended, strike out lines 47 to 52, inclusive; and on page 7, strike out lines 1 to 17, inclusive.

Amendment No. 45

On page 7, line 20, of said bill, as amended, strike out "23.1", and insert "18".

Amendment No. 46

On page 7, line 26, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 47

On page 7, line 28, of said bill, as amended, strike out "24", and insert "19".

Amendment No. 48

On page 8, line 38, of said bill, as amended, strike out "25", and insert "20".

Amendment No. 49

On page 8, line 46, of said bill, as amended, strike out "26", and insert "21".

Amendment No. 50

On page 9, line 1, of said bill, as amended, strike out "27", and insert "22".

Amendment No. 51

On page 9, line 13, of said bill, as amended, strike out "28", and insert "23".

Amendment No. 52

On page 10, line 10, of said bill, as amended, strike out "29", and insert "24".

Amendment No. 53

On page 10 of said bill, as amended, strike out lines 48 and 49, and insert "31663.2. Any safety member who has reached the compulsory age of retirement or any safety member who has completed 10".

Amendment No. 54

On page 13, line 4, of said bill, as amended, strike out "29.5", and insert "25".

Amendment No. 55

On page 13 of said bill, as amended, strike out lines 10 to 49, inclusive.

Amendment No. 56

On page 14, line 1, of said bill, as amended, strike out "31", and insert "26".

Amendment No. 57

On page 14, line 16, of said bill, as amended, strike out "32", and insert "27".

Amendment No. 58

On page 14, line 26, of said bill, as amended, strike out "33", and insert "28".

Amendment No. 59

On page 14, line 28, of said bill, as amended, after "for", insert "nonservice connected".

Amendment No. 60

On page 14, line 39, of said bill, as amended, strike out "34", and insert "29".

Amendment No. 61

On page 14, line 41, of said bill, as amended, after "The", insert "nonservice connected".

Amendment No. 62

On page 14, lines 44 and 45, of said bill, as amended, strike out ", exclusive of the annuity provided by his accumulated additional contributions,".

Amendment No. 63

On page 15, line 5, of said bill, as amended, strike out "35", and insert "30".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 64

On page 15 of said bill, as amended, between lines 20 and 21, insert

"SEC. 31. Section 31731 of the Government Code is amended to read:

31731. If any disability beneficiary under age [60] *55* refuses to submit to medical examination, his pension shall be discontinued until his withdrawal of such refusal, and if his refusal continues for one year, his retirement allowance shall be canceled.

SEC. 32. Section 31734 of the Government Code is amended to read:

31734. If a disability beneficiary, prior to attaining age [60] *55*, engages in a gainful occupation not in the county service or if he reenters the county service in a capacity ineligible for membership in the retirement system, the board shall reduce the amount of his retirement allowance to an amount which, when added to the compensation earned by him in such occupation, does not exceed the amount of the final compensation on the basis of which his retirement allowance was determined. If the earning capacity of the beneficiary is further altered, the board may alter his retirement allowance to an amount which does not exceed the amount upon which he was originally retired, but which, subject to such limitation, equals, when added to the compensation earned by him, the amount of his final compensation on the basis of which his retirement allowance was determined. When such a disability beneficiary reaches age [60] *55*, his retirement allowance shall be made equal to the amount upon which he was originally retired and shall not again be modified for any cause.

SEC. 33. Section 31735 of the Government Code is amended to read:

31735. As a condition of receiving his retirement allowance, each disability beneficiary under age [60] *55* shall file with the board a written statement in a form prescribed by it, that he has not during the preceding month engaged in any gainful occupation except as stated. The statement may be in the form of an endorsement on the warrant delivered to the beneficiary in payment of the allowance. If the statement discloses that he has received compensation from a gainful occupation in an amount and from a source which requires a reduction of his retirement allowance, the deduction shall be made from the next allowance."

Amendment No. 65

On page 15, line 35, of said bill, as amended, strike out "36", and insert "34".

Amendment No. 66

On page 15, line 46, of said bill, as amended, strike out "36.1", and insert "35".

Amendment No. 67

On page 15, line 50, of said bill, as amended, after "article", insert "7.5 or".

Amendment No. 68

On page 16, line 6, of said bill, as amended, strike out "37", and insert "36".

Amendment No. 69

On page 16, line 32, of said bill, as amended, strike out "38", and insert "37".

Amendment No. 70

On page 16, line 37, of said bill, as amended, strike out "or until remarriage".

Amendment No. 71

On page 16, lines 38 and 39, of said bill, as amended, strike out "dies or remarries", and insert "dies".

Amendment No. 72

On page 16, lines 41 and 42, of said bill, as amended, strike out "and not remarried".

Amendment No. 73

On page 16, line 49, of said bill, as amended, strike out "39", and insert "38".

Amendment No. 74

On page 17, line 16, of said bill, as amended, strike out "40", and insert "39".

Amendment No. 75

On page 15 of said bill, as amended, strike out lines 35 to 45, inclusive.

Amendment No. 76

On page 16 of said bill, as amended, strike out lines 8 and 9, and insert

"31785. Upon the death of any member of a retirement system established in a county subject to the provisions of Section 31676.1 who has been retired for service or for nonservice connected disability pursuant to Section 7.5 or 8, 60 per-".

Amendment No. 77

In line 3 of the title of the printed bill, as amended in the Senate on May 31, 1951, strike out "31760.1,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 880 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 880 ordered enrolled.

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, 28014 and to add Section 28000½ to the Health and Safety Code, relating to horse, mule and/or burro meat and their by-products and animal food.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1144?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 17, 1951, after "28000", insert "of the Health and Safety Code".

Amendment No. 2

On page 1, line 16, of said bill, as amended, strike out "either", and insert "any".

Amendment No. 3

On page 2, line 5, of said bill as amended, strike out "and shall read as follows", and insert "to said code, to read:".

Amendment No. 4

On page 2, line 6, of said bill, as amended, strike out "It", and insert "28000½. It".

Amendment No. 5

On page 2, line 12, of said bill, as amended, after "28007", insert "of said code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1144 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1144 ordered enrolled.

Assembly Bill No. 1788—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1788?

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "Part", and insert "Title".

Amendment No. 2

On page 1, line 4, of said bill, strike out "Chapter 4", and insert "Article 2".

Amendment No. 3

On page 1, line 6, of said bill, strike out "Chapter 4", and insert "Article 2".

Amendment No. 4

On page 1, line 7, of said bill, strike out "Chapter 4", and insert "Article 2".

Amendment No. 5

On page 1, line 9, of said bill, strike out "Chapter 4", and insert "Article 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1788 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Assembly Bill No. 1788 ordered enrolled.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, and to add Section

5302.5 to, the Streets and Highways Code, relating to public works and improvements.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1789?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 14, 1951, after "of," insert "to repeal Part 4, comprising Sections 8590 to 8596, inclusive, of Division 10 of,".

Amendment No. 2

On page 6 of said bill, as amended, after line 41, insert

"SEC. 18.5. Part 4, comprising Sections 8590 to 8596, inclusive, of Division 10 of said code is repealed."

Amendment No. 3

On page 6, line 45, of said bill, as amended, strike out "and after the return of the warrant attached thereto".

Amendment No. 4

On page 6, line 50, of said bill, as amended, after "1903," insert "or after 60 days from the date of recording the assessment in the office of the superintendent of streets or district engineer, if the work was done under the Municipal Improvement Act of 1913,".

Amendment No. 5

On page 7, line 29, of said bill, as amended, strike out "30 days after recording the assessment", and insert "the thirty-first day after recording the assessment, or from the sixty-first day after recording the assessment if the work was done under the Municipal Improvement Act of 1913"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1789 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1789 ordered enrolled.

Assembly Bill No. 1839—An act to amend Sections 690.24, and 690.26 of the Code of Civil Procedure, relating to supplementary proceedings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1839?

Amendment No. 1

On page 1, line 1, of the title of the printed bill, insert "542" between "Sections" and "590.24"; and in line 2 insert "attachment, exemptions" between "to" and "and", so that said title will read as amended. "An act to amend Sections 542, 590.24, and 690.26 of the Code of Civil Procedure, relating to attachment, exemptions and supplementary proceedings."

Amendment No. 2

On page 9 of said bill, insert

"SEC. 4. Section 542 of the Code of Civil Procedure is amended by adding thereto subsection 8 as follows:

8. Checks, drafts, money orders and other orders for the withdrawal of money from a banking corporation or association, which are in the possession of and payable to the defendant or judgment debtor on demand, must be attached by taking the same into custody, and the sheriff, constable, or marshal, to whom the writ is directed and delivered, shall promptly thereafter endorse the same and present, or cause the same to be presented, for payment. The sheriff, constable, or marshal shall endorse such check, draft, money order or other order for the withdrawal of money by writing the name of the defendant or judgment debtor thereon and the name and official title of the officer making the levy with the statement that such endorsement is made pursuant

to levy of writ of attachment or execution and giving the title of court and cause in which such writ was issued, and such endorsement shall be sufficient endorsement and no banking corporation or association on which said check, draft, money order or other order for the withdrawal of money is drawn shall incur any liability to any person, firm or corporation by reason of paying to such officer such check, draft, money order or other order for withdrawal of money by reason of such endorsement, nor shall the officer making the levy incur any liability by reason of his endorsing and presenting for and obtaining payment of such check, draft, money order or other order for the payment of money; provided, however, that the funds or credit resulting from the payment of such check, draft, money order or other order for withdrawal of money shall be held by said officer subject to the levy of said writ of attachment or execution. If it appears from the face of such check, draft, money order or other order for the withdrawal of money that the same has been tendered to the defendant or judgment debtor in satisfaction of a disputed claim or demand and that endorsement thereof shall be considered a release and satisfaction by defendant or judgment debtor of such disputed claim or demand, then, in such event, the officer making the levy shall not endorse said check, draft, money order or other order for the withdrawal of money unless the defendant or judgment debtor shall first endorse the same to the officer making the levy; provided, however, that if said defendant shall not endorse said check, draft, money order or other order for withdrawal of money to the officer making the levy, said officer may thereafter hold such check, draft, money order or other order for the withdrawal of money subject to such levy and shall incur no liability to the defendant or judgment debtor or to any other person, firm or corporation for delay in presentment of the same for payment."

Amendment No. 3

On page 1, line 1, of the printed bill, as amended in the Senate on May 23, 1951, strike out "said code", and insert "the Code of Civil Procedure".

Amendment No. 4

Strike out all of page 4 of said bill, and insert

"SEC. 4. Section 542 of said code is amended to read:

542. The sheriff, constable, or marshal, to whom the writ is directed and delivered, must, upon receipt of instructions in writing, signed by the plaintiff or his attorney of record, and containing a description of the property, and in the case of real property or growing crops the name of the record owner of the real property to be attached, or upon which the crops are growing, and a statement as to whether or not the real property is registered under the Land Title Law, an initiative act adopted by election November 3, 1914, execute the same without delay, and if the undertaking mentioned in Section 540 of this code be not given, as follows:

1. Real property, standing upon the records of the county in the name of the defendant, must be attached, by recording with the recorder of the county a copy of the writ, together with a description of the property attached, and a notice that it is attached, and by serving an occupant of the property, if there is one upon the property at the time service is attempted, with a similar copy of the writ, description and notice, or if there is no occupant then on the property, then, by posting the same in a conspicuous place on the property attached. Service upon the occupant may be made by leaving said copy of the writ, description and notice with the occupant personally, or, in his absence with any person of suitable age and discretion, found upon the property at the time service thereof is attempted and who is either an employee or agent of such occupant or a member of his family or household. Where the property described in the notice consists of more than one distinct lot, parcel or governmental subdivision and any of such lots, parcels or governmental subdivisions lie with relation to any of the others so as to form one or more continuous, unbroken tracts, one service or posting, need be made as to each such continuous, unbroken tract.

1a. Growing crops (which, until severed, shall be deemed personal property not capable of manual delivery), growing upon real property standing upon the records of the county in the name of the defendant, must be attached by recording with the recorder of the county a copy of the writ, together with a description of the growing crops to be attached, and of the real property upon which the same are growing, and a notice that such growing crops are attached in pursuance of the writ, and by serving an occupant of the real property, if there is one upon the real property at the time service is attempted, with a similar copy of the writ, description and notice, or if there is no occupant then on the real property, then, by posting the same in a conspicuous place on the real property. Service upon the occupant may be made by leaving said copy of the writ, description and notice with the occupant personally, or, in his absence, with any person, of suitable age and discretion, found upon the real property at the time service thereof is attempted and who is either an employee or agent of such occupant or a member of his family or household. Where the real property described in the notice consists of more than one distinct lot, parcel or governmental subdivision, and any of such lots, parcels or governmental subdivisions lie with relation to any of the others so as to form one or more continuous unbroken tracts, one service or posting need be made as to each such continuous unbroken tract.

Whenever growing crops have been attached under the provisions of this subdivision, which will greatly deteriorate in value, unless properly cultivated, cared for, harvested, packed or sold, the court issuing such writ, upon application of the person in whose favor the writ runs, and after due notice to the owner of said property, may direct the sheriff to take possession of said property and to cultivate, care for and preserve the same and, when necessary, harvest, pack and sell such property. Any sale of such property shall be made in the same manner that property is sold on execution and the proceeds must be retained by the sheriff to be applied to the satisfaction of any judgment which may be recovered in the action in which said writ is issued The court shall order said applicant to pay such expenses in advance if the court may deem it proper, or may direct that the whole or any part of such expenses be paid from the proceeds of any sale of such property

2. Real property, or any interest therein, belonging to the defendant, and held by any other person, or standing on the records of the county in the name of any other person, must be attached in the same manner as is real property standing upon the records of the county in the name of the defendant by the provisions of subdivision 1 of this section and the notice of attachment shall state that the real property therein *described, and any interest of the defendant therein held by or standing on the records* of the county in the name of such other person (naming him), are attached In addition, a similar copy of the writ, description and notice shall be delivered to such other person, or his agent, if known and within the county, or left at the residence of either, if within the county The recorder must index such attachment when recorded, in the names, both of the defendant and of the person by whom the property is held or in whose name it stands of record

2a. Growing crops (which, until severance, shall be deemed personal property not capable of manual delivery), or any interest therein, belonging to the defendant, and growing upon real property held by any other person or standing upon the records of the county in the name of any other person, must be attached in the same manner as growing crops growing upon real property standing upon the records of the county in the name of the defendant are attached by the provisions of subdivision 1a of this section, and the notice of attachment shall state that the crops therein described or *any interest of the defendant therein, held by, or standing upon the records of the* county in the name of, such other person (naming him), are attached in pursuance of the writ In addition, a similar copy of the writ, description and notice shall be delivered to such other person, or his agent, if known and within the county, or left at the residence of either, if known and within the county The recorder must index such attachment when recorded, in the names of both the defendant and of the person by whom the real property is held, or in whose name it stands on the record.

Whenever growing crops have been attached under the provisions of this subdivision, which will greatly deteriorate in value unless properly cultivated, cared for, harvested, packed or sold, the court issuing such writ, upon application of the person in whose favor the writ runs, and with or without notice as the court directs to the owner of said property, may direct the sheriff to take possession of said property and to cultivate, care for and preserve the same and, when necessary harvest, pack and sell such property Any sale of such property shall be made in the same manner *that property is sold under execution and the proceeds must be retained by the sheriff* to be applied to the satisfaction of any judgment which may be recovered in the action in which said writ is issued. The court shall order said applicant to pay such expenses in advance if the court may deem it proper, or may direct that the whole or any part of such expenses be paid from the proceeds of any sale of such property

3 Personal property, capable of manual delivery, in the possession of the defendant, must be attached by taking it into custody.

4 Stocks or shares, or interest in stocks or shares, of any corporation or company, must be attached by leaving with the president, vice president or other head of the same, or the secretary, assistant secretary, cashier, assistant cashier, or any managing agent, thereof, a copy of the writ, and a notice stating that the stock or interest of the defendant is attached, in pursuance of such writ

5 In cases where the sheriff, constable, or marshal is instructed to take into possession personal property capable of manual delivery, whether the same is to be placed in a warehouse or in custody of a keeper, the sheriff, *constable or marshal shall* require, as a prerequisite to the taking of such property, that in addition to written instructions the plaintiff or his attorney of record deposit with the sheriff, constable or marshal, a sum of money sufficient to pay the expenses of taking and keeping safely said property for a period not to exceed 15 days In the event that a further detention of said property is required, the sheriff, constable or marshal must, from time to time, make written demand upon the plaintiff or his attorney for further deposits to cover estimated expenses for periods not to exceed five days each Such demand must be served as provided in Section 1011 of this code, or by depositing such notice in the post office in a sealed envelope, as first-class registered mail, postage prepaid, addressed to the person on whom it is served at his last known office or place of residence. In the event that the money so demanded is not paid the sheriff, constable or marshal shall release the property to the person or persons from whom the same was taken. There shall be no liability upon the part of the sheriff, constable or marshal to take or hold personal property unless the provisions of this section shall have been fully complied

with. There shall be no liability upon the part of the sheriff, constable or marshal, either to the plaintiff or the defendant for loss by fire, theft, injury or damage of any kind to personal property capable of manual delivery while in the possession of the sheriff, constable or marshal either in a warehouse or in the custody of a keeper or enroute to or from a warehouse unless the sheriff, constable or marshal shall be negligent in his care or handling of the property.

6. Debts and credits and other personal property, not capable of manual delivery must be attached by leaving with the persons owing such debts, or having in his possession, or under his control, such credits and other personal property, or with his agent or in the case of a corporation, with the president of the corporation, vice president, secretary, assistant secretary, cashier, or managing agent thereof, a copy of the writ, and, if the demand as stated in the writ does not exceed three hundred dollars ($300) exclusive of interest, attorney's fees and costs, a copy of the complaint in the action from which the writ issued, and, in every case, a notice that the debts owing by him to the defendant, or the credits and other personal property in his possession, or under his control, belonging to the defendant, are attached in pursuance of such writ; provided, however, that debts owing to the defendant by a banking corporation or association, building and loan association or title insurance company, maintaining branch offices, or credits or other personal property whether or not the same is capable of manual delivery, belonging to the defendant and in the possession of or under the control of such banking corporation or association, building and loan association or title insurance company, must be attached by leaving a copy of the writ and the notice with the manager or other officer of such banking corporation, or association, building and loan association or title insurance company at the office or branch thereof at which the account evidencing such indebtedness of the defendant is carried, or at which such banking corporation or association, building and loan association or title insurance company has credits or other personal property belonging to the defendant in its possession or under its control; and no attachment shall be effective as to any debt owing by such banking corporation or association, building and loan association or title insurance company if the account evidencing such indebtedness is carried at an office or branch thereof not so served, or as to any credits or other personal property in its possession or under its control at any office or branch thereof not so served.

7. If real property sought to be attached is registered under said land title law, an additional copy of the writ, together with a description of the Torrens title certificate, a description of the property and a notice that it is attached shall be filed with the registrar of titles of the county.

8. Checks, drafts, money orders and other orders for the withdrawal of money from a banking corporation or association, which are in the possession of and payable to the defendant or judgment debtor on demand, must be attached by taking the same into custody, and the sheriff, constable, or marshal, to whom the writ is directed and delivered, shall promptly thereafter endorse the same and present, or cause the same to be presented, for payment. The sheriff, constable, or marshal shall endorse such check, draft, money order or other order for the withdrawal of money by writing the name of the defendant or judgment debtor thereon and the name and official title of the officer making the levy with the statement that such endorsement is made pursuant to levy of writ of attachment or execution and giving the title of court and cause in which such writ was issued, and such endorsement shall be sufficient endorsement and no banking corporation or association on which said check, draft, money order or other order for the withdrawal of money is drawn shall incur any liability to any person, firm or corporation by reason of paying to such officer such check, draft, money order or other order for withdrawal of money by reason of such endorsement, nor shall the officer making the levy incur any liability by reason of his endorsing and presenting for and obtaining payment of such check, draft, money order or other order for the payment of money: provided, however, that the funds or credit resulting from the payment of such check, draft, money order or other order for withdrawal of money shall be held by said officer subject to the levy of said writ of attachment or execution. If it appears from the face of such check, draft, money order or other order for the withdrawal of money that the same has been tendered to the defendant or judgment debtor in satisfaction of a claim or demand and that endorsement thereof shall be considered a release and satisfaction by defendant or judgment debtor of such claim or demand, then, in such event, the officer making the levy shall not endorse said check, draft, money order or other order for the withdrawal of money unless the defendant or judgment debtor shall first endorse the same to the officer making the levy; provided, however, that if said defendant shall not endorse said check, draft, money order or other order for withdrawal of money to the officer making the levy, said officer may thereafter hold such check, draft, money order or other order for the withdrawal of money subject to such levy and shall incur no liability to the defendant or judgment debtor or to any other person, firm or corporation for delay in presentment of the same for payment."

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on May 31, 1951, strike out "590.24", and insert "690.24".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1839 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68

NOES—None.

Assembly Bill No. 1839 ordered enrolled.

Assembly Bill No. 3425—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3425?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 10, of said bill, strike out "commission", and insert "department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 3425 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None

Assembly Bill No. 3425 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 2309—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2309 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—70

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1647 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—70

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3384

Mr. Rosenthal asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 3384, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3384—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 3384?

Amendment No. 1

On page 1, line 11, of the printed bill, after "player", insert "or such prospective participant or player".

Amendment No. 2

On page 1, line 13, of said bill, after the first "or", insert "shall"

Amendment No. 3

On page 1, line 16, of said bill, after the second "or", insert "shall".

Amendment No. 4

On page 2, line 7, of said bill, after "or", strike out "to", and insert "will"

Amendment No. 5

On page 2, line 11, of said bill, after the second "or", insert "will".

Amendment No. 6

On page 1, line 13, of the printed bill, as amended in the Senate on May 23, 1951, after the second "or", insert "shall".

Amendment No. 7

On page 1, line 14, of said bill, as amended, strike out "shall".

Amendment No. 8

On page 1, line 16, of said bill, as amended, after the second "or", insert "shall"

Amendment No. 9

On page 1, line 17, of said bill, as amended, strike out "shall"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3384 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—65

NOES—None.

Assembly Bill No 3384 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2067

Mr. Lowrey asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2067, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.1, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2067?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "2020 1", and insert "2020 01".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2067 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Assembly Bill No 2067 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

Speaker Pro Tempore Presiding

At 11 10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 17, 1951, strike out "261b, as added by Chapter 1031 of the Statutes of 1943," and insert "261a 5".

Amendment No. 2

On page 4 of said bill, strike out lines 44 and 45, and insert "SECTION 1. Section 261a.5 of the Code of Civil Procedure".

Amendment No. 3

On page 4, line 47, of said bill, strike out "261b", and insert "261a 5".

Amendment No. 4

On page 6, line 2, of said bill, strike out "five dollars ($5)", and insert "three dollars and fifty cents ($3.50)"

Amendment No. 5

On page 6, line 4, of said bill, strike out "4300a of the Political", and insert "26821 of the Government".

Amendment No. 6

On page 6, line 8, of said bill, strike out "Section 4300a of the Political", and insert "Sections 26822 to 26825, inclusive, of the Government".

Amendment No. 7

On page 6, line 13, of said bill, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 8

On page 6, line 20, of said bill, strike out "five dollars ($5)", and insert "three dollars and fifty cents ($3.50)".

Amendment No. 9

On page 6, line 23, of said bill, strike out "4300a of the Political", and insert "26827 of the Government".

Amendment No. 10

On page 6 of said bill, between lines 29 and 30, insert "The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code"

Amendment No. 11

On page 6, line 44, of said bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "six thousand six hundred dollars ($6,600)".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Chapel, Cloyed, George D Collins, Condon, Conrad, Davis, Dickey, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—41.

NOES—Brady, Clarke, Connolly, Dolwig, Elliott, Lyon, Maloney, McCarthy, McCollister, McGee, and Sherwin—11.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 2573 Hold Place on File

Mr. McFall asked for, and was granted, unanimous consent that Assembly Bill No. 2573 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 191—An act to amend Section 2842 of the Elections Code, relating to state and county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—63

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2695—An act to amend Section 118 of the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "a", and insert "an official".

Amendment No. 2

On page 2, line 14, of the printed bill, as amended, in the Assembly on May 11, 1951 after "who", insert "knowingly".

Amendments read.

Division of the Question

Mr. Condon asked for a division of the question as follows.

1 Consideration of Amendment No. 2

2. Consideration of Amendment No. 1.

Division of the Question

Consideration of Amendment No. 2

Amendment No. 2

On page 2, line 14, of the printed bill, as amended in the Assembly on May 11, 1951, after "who", insert "knowingly".

Amendment read, and adopted.

Consideration of Amendment No. 1

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "a", and insert "an official".

Amendment read.

Request for Unanimous Consent That Permission Be Granted to Change Amendment No. 1

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to change the wording of his proposed Amendment No. 1, and that the changed amendment be considered, at this time.

Amendment No. 1, as Changed

On page 2, line 15, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "a list", and insert "an official list or a list compiled from official sources."

Changed amendment read.

Roll Call Demanded

Messrs. Collier, Grunsky, and Hinckley demanded a roll call.

The roll was called, and Amendment No. 1 offered by Mr. Condon to Assembly Bill No 2695 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Lindsay, Luckel, Lyon, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—41

NOES—Cloyed, Collier, Connolly, Dolwig, Erwin, Fleury, Grant, Hansen, Hinckley, Lanterman, Levering, Lipscomb, McGee, Sherwin, Smith, Stewart, and Tomlinson—17.

Bill ordered reprinted, and re-engrossed.

MEMBER EXCUSED

At 11.35 a.m., Mr. Collier asked for, and was granted, unanimous consent that he be excused, temporarily, for the purpose of attending a meeting in the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 33, 45 7 and 68 of the Community Redevelopment Act, and to amend Sections 33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, to repeal Sections 33739 and 33740 of the Health and Safety Code, relating to redevelopment.

Bill read third time.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following action is indicated by being enclosed within brackets.

[Motion to Amend]

~~Mr. Stewart moved the adoption of the following amendment:~~

[Amendment No. 1]

[On page 9 of the printed bill, as amended in the Assembly on May 29, 1951, between lines 20 and 21, insert]

["SEC. 6. Section 68 of said act is amended to read."]

~~Amendment read, and adopted.~~

~~Bill ordered reprinted, and re-engrossed.~~

On this day the Assembly rescinded the action whereby the above amendment to Assembly Bill No. 2727 was adopted. (See page 5136.)

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 23, 1951, after "hourly", insert "or half-hourly".

Amendment No. 2

On page 1, line 6, of said bill, after "hour", insert "or half hour".

Amendment No. 3

On page 1, line 11, of said bill, strike out "period", and insert "a period of".

Amendment No. 4

On page 1 of said bill, strike out lines 17 to 23, inclusive.

Amendments read.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Conrad is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the adoption of the amendments to Assembly Bill No. 2689.

Roll Call Demanded

Messrs. Conrad, Burkhalter, and Geddes demanded a roll call.

The roll was called, and the amendments offered by Mr. Burkhalter to Assembly Bill No. 2689 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Waters—58.

NOES—Conrad and Gaffney—2.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 173

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is authorized and directed to pay the same.

Department of Finance (supplies)	$89 24
Department of Finance (pro-rate cost of telephone service)	946 08
Western Manufacturing Company (brief cases)	245 14
Sacramento Glass and Crockery Co. (supplies)	6 70
H. S. Crocker Co. Inc. (supplies)	6 25

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 173, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, and Waters—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL TO FIFTH REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal to the Fifth Report of the Assembly Interim Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings on its investigation and study of the San Francisco Bay Project—the Reber Plan be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER
SACRAMENTO, CALIFORNIA, May 25, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings herewith presents its Fifth Report, dealing with the investigation and study of the San Francisco Bay Project—the Reber Plan.

The first hearings by this committee on the Reber Plan were held in Sacramento on May 16 and 20, 1949, in conjunction with the hearings on a second Bay crossing. At that time the committee recommended that: "The magnitude of the Reber Plan is almost beyond the scope of human imagination. It embraces many fields and the services of a number of specialists will be needed to complete a study of all its ramifications. This study should be undertaken and every possibility of the plan explored from all levels of government that would be affected by its acceptance."

Further hearings and conferences were held on:

Oct. 14, 1949—Public Hearing.
(Dec. 8-16, 1949—Hearings of Subcommittee on Committee on Public Works, U. S. Senate, on Transbay Crossings, Water Problems, and the Reber Plan. Attended by members of this committee.)
Feb. 22, 1950—Committee Conference.
Mar. 8, 1950—Committee Conference.
April 5, 1950—Committee Conference.
Dec 18, 1950—Public Hearing.
Mar. 7, 1951—Public Hearing.
Mar. 31, 1951—Public Hearing.
Apr. 6, 1951—Committee Consultants and Reber Plan Engineers Conference.

The voluminous reports and testimony presented at these hearings have been studied and analyzed by the committee and its consultants and it is significant to note here that the Reber Plan is the only approach to a master-plan for the San Francisco Bay Region so far submitted.

Because of this fact and extensive areas of agreement by all parties concerned with the Reber Plan, your committee submits the following report and recommendations

Respectfully submitted.

GEORGE D. COLLINS, JR.
ARTHUR H CONNOLLY, JR.
RANDAL F. DICKEY
FRANCIS DUNN, JR.
EDWARD M GAFFNEY
ERNEST R. GEDDES
FRANK LANTERMAN
RICHARD J. DOLWIG, Chairman

I am in full agreement with this report except Section III relating to the Contra Costa-Marin Counties Bridge.

ROBERT I. McCARTHY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT, AND THAT 500 COPIES BE PRINTED

Mr. Dolwig asked for, and was granted, unanimous consent that the above letter of transmittal and above mentioned report be printed as a separate document, in 10 point type, and that 500 copies be printed.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Messrs. Condon, Hawkins, Rumford, Rosenthal, Hagen, Evans, Beck, McFall, Shaw, Henderson, Parker, George D. Collins, Brady, Doyle, Burkhalter, Dunn, Gaffney, Munnell, Elliott, McCarthy, Mrs. Niehouse, Messrs. Geddes, McMillan, Meyers, Maloney, Porter, and Thomas:

House Resolution No. 174

Relative to the creation of the Assembly Interim Committee to Investigate Economic Discrimination Because of Race, Religion, or National Origin

WHEREAS, Many people of the State of California have voiced a belief that discrimination exists in employment opportunities because of race, religion or national origin; and

WHEREAS, Since 1946 at each regular session of the California Legislature, measures to prevent such discrimination by employers and trade unions have been introduced; and

WHEREAS, All such measures have been widely discussed and debated but none has been favorably considered by the Legislature; and

WHEREAS, Nine states have adopted Fair Employment Practice Acts and five other states have created commissions to study such legislation; and

WHEREAS, The President's Fair Employment Practice Committee during World War II made a significant contribution to insuring the full employment in defense industry of all persons without regard to race, religion or national origin; and

WHEREAS, Leading figures in all segments of political life in California have advocated an investigation and study of the problems of such discrimination; and

WHEREAS, Most Californians would disapprove of such economic discrimination because of race, religion or national origin, if such is found to exist within the State, and if such discrimination could be eliminated without undue restriction upon the employers and trade unions of California; and

WHEREAS, Economic, social and political data relating to this problem within the State are necessary for any exacting or proper action on the question by the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee to Investigate Economic Discrimination Because of Race, Religion, or National Origin is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution and the recitals thereof, including but not limited to all facts relating to discrimination in employment or membership in trade unions because of race, religion, or national origin, the nature and extent of such discrimination, its effect upon the economy of the State as well as its effect upon persons being discriminated against, and including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3446

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2367

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 88: By Messrs. Smith and Lipscomb—Relative to directing the Public Utilities Commission to apportion the costs for the construction of a certain grade separation on Los Feliz Boulevard in Los Angeles County.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Coats:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Respectfully submitted.

ARTHUR W. COATS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Coats:

An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

Motion carried. Time, 1.32 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Burkhalter, Cloyed, Coats, Conrad, Crowley, Davis, Dickey, Elliott, Evans, Fleury, Gaffney, Gubser, Hollibaugh, Kilpatrick, Lindsay, Lowrey, Lyon, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, and Waters—29.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2621—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Laughlin E. Waters Presiding

At 1.40 p.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

Assembly Bill No. 2622—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 981—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2224—An act to add Sections 1303.1, 1303.2, and 1303.3 to the Education Code, relating to employment of superintendents of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Chapel, Clarke, Collier, George D. Collins, Condon, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, and Waters—48.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 2727

Mr. Stewart asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted amendments to Assembly Bill No. 2727.

Assembly Bill No. 2727 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, and Waters—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2727

Mr. Stewart asked for, and was granted, unanimous consent to take up the further consideration of Assembly Bill No. 2727.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2727

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 33, 45.7 and 68 of the Community Redevelopment Act, and to amend Sections

33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, to repeal Sections 33739 and 33740 of the Health and Safety Code, relating to redevelopment.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 3217 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No 3217 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3121—An act to add Section 3 51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read third time, and ordered passed on file.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 2693

Mr Geddes asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 2693 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3408—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 964—An act to amend Sections 2824 and 5720 of the Streets and Highways Code, relating to special assessment proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln,

Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2370—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10.5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 3121, temporarily passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3121

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read third time.

~~The roll was called, and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—58.

NOES—Silliman—1.]

~~Bill ordered transmitted to the Senate.~~

On June 6, 1951, the Senate was requested to return Assembly Bill No. 3121 to the Assembly for further consideration (see page 5177); on June 7th, the Senate returned the bill (see page 5232); and on the same day, the Assembly rescinded the above action whereby the bill was this day passed (see page 5233).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3429

Mr. Collier asked for, and was granted, unanimous consent to take up Assembly Bill No. 3429, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3429

Assembly Bill No. 3429—An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Bill read third time.

Motion That Assembly Bill No. 3429 Be Passed on File Until Opinion Obtained

Mr. Doyle moved that Assembly Bill No 3429 be temporarily passed on file until an opinion of the Legislative Counsel may be obtained relative to Section P, lines 16 to 23 inclusive.

Motion died for lack of a second.

Point of Order

Mr. Beck arose to the following point of order: That Assembly Bill No. 3429 carries an implied appropriation, and, pursuant to the provisions of Rule No. 45, should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Acting Speaker Waters ruled that, as the passage of this bill would give a department additional power, but would not, apparently, impose additional financial needs upon said department, the point of order was not well taken.

The question being on the passage of Assembly Bill No 3429.

The roll was called, and the bill refused passage by the following vote:

AYES—Cloyed, Collier, Lanterman, Levering, Lipscomb, Sherwin, and Stewart—7.

NOES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Thomas—53.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1561

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No. 1561, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1561

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—60.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Lipscomb asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 1561, and that he be recorded as voting "Aye" instead of "No".

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Smith asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 1561, and that he be recorded as voting "Aye" instead of "No".

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 2 50 p.m , on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Coats to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3451: By Mr. Coats—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF SENATE BILL NO. 386

Mr. Connolly asked for, and was granted, unanimous consent to take up the reconsideration of Senate Bill No. 386, temporarily passed on file.

RECONSIDERATION OF SENATE BILL NO. 386

In compliance with a notice given on a previous day, Mr. Connolly moved that the vote whereby Senate Bill No. 386 was refused passage be reconsidered.

The roll was called, and Senate Bill No. 386 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—63.

NOES—None.

Senate Bill No. 386 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1996

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1996, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1996

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or", and insert ", (2) of".

Amendment No. 2

On page 1, line 8, of said bill, strike out "(2)", and insert "(3)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO CHANGE TITLE ON ASSEMBLY BILL NO. 3451

Mr. Coats asked for, and was granted, unanimous consent that the Chief Clerk be instructed to change the title on Assembly Bill No. 3451 to conform with the language of the bill.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO REQUEST THAT SENATE JOURNAL BE CORRECTED

Acting Speaker Waters, by unanimous consent, instructed the Chief Clerk to request the Senate that a correction be made in the Senate Journal, on page 2754, in the first line of Amendment No. 1, and that the word "Assembly" be changed to read "Senate," and that said amendment to Assembly Bill No. 880 be corrected to conform to the above correction.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 957

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Senate Bill No. 957, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 957

Senate Bill No. 957—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence qualifications for aid to needy children.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "within the United States".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 426—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to boarding homes, to make costs for boarding home inspection payable on a fiscal year basis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1903—An act to amend Sections 2 and 8 of, and to add Section 4.1 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time, and ordered passed on file, to hold its place on file on the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

H. ALLEN SMITH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Smith:

An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3452: By Mr. Smith—An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT PROVISIONS OF HOUSE RESOLUTION NO. 79 BE WAIVED

Mr. Dunn asked for, and was granted, unanimous consent that the provisions of House Resolution No. 79 be waived to permit the Committee on Education to consider Assembly Bill No. 3193 tomorrow evening in committee meeting.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 291 BE RE-REFERRED TO COMMITTEE

Mr. Fleury asked for, and was granted, unanimous consent that Senate Bill No. 291 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3245, on request of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 731

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 731, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 731

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 1, of the printed bill, as amended in the Assembly on May 28, 1951, after line 11, insert "A record shall be kept of the administration of hypnotic drugs, including the amount given, the type, the date given, and the name and address of the person to whom administered."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 3.08 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO INTRODUCE BILL ON BEHALF OF MR. HAHN

Mr. Morris asked for, and was granted, unanimous consent that he be permitted, on behalf of Mr. Hahn who is ill, to request permission to introduce a bill for Mr. Hahn.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hahn:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Respectfully submitted.

GORDON R. HAHN
By G. DELBERT MORRIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hahn:

An act to provide for the sale of a parcel of land under the control of the State Park Commission.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3453: By Mr. Hahn—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Referred to Committee on Governmental Efficiency and Economy.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 54 WAIVED

Messrs. Munnell and Dunn waived their notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 54 was adopted.

Assembly Constitutional Amendment No. 54 ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 41: By Mr. Kelly—Relative to maintaining a minimum lake level behind the Isabella Dam.

Referred to Committee on Rules.

Assembly Joint Resolution No. 42: By Messrs. Coats, Henderson, Moss, Davis, and Lowrey—Relative to appropriation for the Central Valley Project.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 64: By Mr. Conrad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4 of Article IV thereof, relating to qualifications of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2501, on request of Mr. Dolwig.

ANNOUNCEMENT

Mr. Dunn announced that people have been inquiring of members of the Committee on Education what is being done in the schools to educate and alert students to the dangers of sex crimes. He further announced that the State Bureau of Audio-Visual Education has a motion picture which may be shown in 10 minutes, and requested an expression from the members as to their interest in seeing said picture.

Desire Expressed to View Motion Picture

Because of almost unanimous desire expressed to view the above mentioned motion picture, Mr Dunn announced that it will be shown next week in a committee room, the location, date, and time to be announced later.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 1980, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1980

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following action is indicated by being enclosed within brackets:

[Moton to Amend]

~~Mr. Dolwig moved the adoption of the following amendments:~~

[Amendment No. 1]

[In line 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, after "benefits", insert ", and making an appropriation".]

[Amendment No. 2]

[On page 1, lines 13 and 14, of said bill, strike out "ten thousand dollars ($10,000) per annum", and insert "a range of $676, $710, $745, $782, $821".]

[Amendment No. 3]

[On page 1 of said bill, following line 15, insert

"SEC. 3. There is hereby appropriated out of any money in the General Fund in the State Treasury the sum of thirty-eight thousand seven hundred thirty-four dollars ($38,734) in augmentation of Item 124 of the Budget Act of 1951 for support of the Department of Industrial Relations."]

~~Amendments read, and adopted~~

~~Bill ordered reprinted, and re-engrossed~~

On June 6, 1951, the Assembly rescinded the above action whereby Assembly Bill No. 1980 was amended. (See page 5151.)

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 28, 1951; Tuesday, May 29, 1951; Wednesday, May 30, 1951; Thursday, May 31, 1951 and Friday, June 1, 1951 were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 25—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 65—Relative to study and investigation of the feasibility of an over-all program of aviation education;

Assembly Concurrent Resolution No. 86—Approving the charter amendments to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1951;

Assembly Concurrent Resolution No. 87—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of May, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifth day of June, 1951, at 3 p m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3405—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes;

Assembly Bill No. 3413—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or ejection from the enclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2725—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability;

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages;

Assembly Bill No. 3229—An act to add Section 51.5 to the Fish and Game Code, relating to game management area;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1696—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county;

Assembly Bill No. 1698—An act to amend Section 6810 of the Business and Professions Code, relating to the registration of professional engineers;

Assembly Bill No. 2207—An act to add Section 18.5 to the Municipal and Justice Court Act of 1949, relating to municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions;

Assembly Bill No. 962—An act to amend Section 4300*l* of the Political Code and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees;

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 P.M.—

Fish and Game, in Room 3184.

Today Upon Adjournment—

Public Health, in Room 3184.
Social Welfare, in Room 426.
Elections and Reapportionment, in Room 435.
Rules, in Room 319.
Agriculture, in Room 2170.

Tomorrow, Wednesday, June 6th, Upon Adjournment—

Legislative Representatives, in Room 3148.

It was announced that the following committee would hold no meeting today:

Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paula Haum and Capt. Earnest Vitucci of San Diego.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Lester Pierce and Arthur Hill of Eureka.

On request of Messrs. Dolwig and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Enoch Richardson of San Mateo, Judge and Mrs. Alden Ames, and Herbert Hanley of San Francisco.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to C. V. Scott of Marysville.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold S. Olson of Meadow Valley, and Mrs. Flora Cate of Quincy.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Arvid Olander, Mrs. Chas. Parker, Carol Stoneking, Helen Rustames, Mrs. Margaret Moorhouse, Mrs. Arthur Null, Mrs. Roberts, Mrs. Omaha Vest, Mrs. Martin, Richard Hackenback, Katherine Ruiz, adults, and the following pupils of the Ambrose School: Patty Skvorak, Terry Suno, Betty Murnaha, Enedine Marquez, David Towers, Clyde Steele, Bill Crews, Donita Bastan, Emma Vigil, Karen Farrow, Karen Ward, Anita Case, Delores Christofferson, Mary Tiscareno, Ramona Hernandez, Raynell Robinson, George Mano, Gene Dass, Alfonso Astrada, Chas. Christiansen, Alberta Dorsey, Isabella Moms, Carl Fullmer, Chas. Maury, Byron Banks, Carol Kochevar, Charles Clark, James Welb, Paul Williams, Kay Olander, Robena Morris, Ruthe Hutchinson, Ed. Snell, Edward Anderson, Betty Odom, Claudette Phipps, David Pack, Suzitk Manwill, Robt. Patton, Danny Null, Darlinda Bartee, Patsy Osselett, Lynda Parker, Linda Scott, Phyllis Long, Fred Wiseley, Vernon Racca, Leonard Powell, Shelby Higgins, John Davis, Frank Gonzaga, Thomas Foster, Robert Shipp, Charles Shipp, George Wildes, and Max Goodman.

ADJOURNMENT

At 3.17 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Wednesday, June 6, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 6, 1951

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Blessed Lord God, Thou who art the abiding reality of the universe, we pause at Thy mercy seat in prayer. Deepen the roots of our lives into everlasting righteousness. Make us just in the exercise of power and of authority; reverent in the use of our liberties and freedom; generous in our protection of the weak and helpless; equal to the high trusts and great opportunities afforded us.

"Dear God, our Country needs Thee
To help and heal and bless,
To give the rulers wisdom,
To grant to right success.
To feed her many millions,
To keep her always free,
To lead them in the way of Christ,
Where they may walk with Thee."

In our Redeemer's name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Luckel, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Morris.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Gubser.

Mr. Sam L. Collins, on motion of Mr. Stanley.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr. Caldecott.

The following member was granted leave of absence for the morning:

Mr. Sherwin, on motion of Mr. Meyers.

MEMBERS EXCUSED FOR BOARD MEETING

At 10.05 a.m., Mr. Lowrey asked for, and granted, unanimous consent that he and Messrs. Erwin and Davis be excused, for the purpose of attending a meeting of the Wildlife Conservation Board, at this time.

COMMUNICATIONS

By the Chief Clerk:

A communication from C. A. Griffith, Chairman, State Water Resources Board, Sacramento, with a resolution approving action of the Legislature in adopting Assembly Resolution No. 111 relative to the Feather River Project, were received, and ordered filed with the Secretary of State.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 5, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2730, entitled: "An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions."

My objections to this bill are as follows:

This bill applies to the State Employees' Retirement System. It would provide a means for the withdrawal of additional contributions heretofore made by members. Such right could be exercised either within 90 days after the member receives written notice of his right, or it could be exercised at the time of retirement.

Two objectionable features of this bill have been called to my attention by the staff of the Retirement System. First, it permits the system to be used as a savings bank, contrary to the established purpose of the Retirement System. Second, it would almost certainly result in bad actuarial practice in permitting "adverse selection" against the system. This might necessitate a more conservative mortality table to protect the system, to the detriment of those employees who leave their additional contributions with the system.

The second of these objections is the more serious. The adverse selection against the system would result from the tendency of persons below average health to withdraw

their contributions. Those in better health would tend to allow their contributions to remain in the system and provide life annuities. Thus, the system would remain obligated to pay annuities to persons with comparatively long remaining life expectancies, and be deprived of the shorter life expectancies which would ordinarily balance the situation.

The Retirement System advises me that the annuity rates used at retirement are lower than annuity rates generally used by insurance companies. One of the reasons for this difference is that the state system is not subject to adverse selection to the same extent as life insurance companies. In the case of life insurance companies, the purchase of annuities is optional and persons above average health tend to allow their annuity policies to go on to maturity, which corresponds to allowing the accumulated additional contributions to remain with the Retirement System. If the withdrawal privilege is permitted, it will almost certainly follow that a more conservative mortality table will have to be adopted to protect the system against the adverse selection. The result would be that those persons who do allow their contributions to remain would receive a correspondingly lower retirement allowance.

The Director of Finance objects to this bill, pointing out that this element of adverse selection affects the actuarial soundness of the Retirement System.

Because of these reasons I am returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2730

June 5, 1951

I acknowledge receipt this fifth day of June, 1951, at 5:35 o'clock p.m. of Assembly Bill No. 2730 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 6, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 2730, entitled: "An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5:35 o'clock p.m. on the fifth day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2730 ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON AMENDMENTS ON ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, June 5th, adopted amendments to Assembly Bill No. 1980.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2043

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 298

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 295
Senate Bill No. 1820

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 382

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2335
Assembly Bill No. 3027

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1993

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1996
Assembly Bill No. 2689
Assembly Bill No. 2695

And reports the same correctly re-engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2335 and 3027 re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2924

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 850

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred

Senate Bill No. 825

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 520

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 72

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 149

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2545

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER Your Committee on Agriculture, to which was referred:

Senate Bill No. 1198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1142
Assembly Bill No. 2195

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1822

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 295
Assembly Bill No. 1806

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 59

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 20
Assembly Bill No. 186
Assembly Bill No. 282
Assembly Bill No. 284
Assembly Bill No. 288
Assembly Bill No. 289
Assembly Bill No. 425
Assembly Bill No. 447
Assembly Bill No. 455
Assembly Bill No. 811
Assembly Bill No. 1058
Assembly Bill No. 1326
Assembly Bill No. 1531
Assembly Bill No. 1535
Assembly Bill No. 1545
Assembly Bill No. 1577
Assembly Bill No. 1690
Assembly Bill No. 1952
Assembly Bill No. 2137
Assembly Bill No. 2139
Assembly Bill No. 2493
Assembly Bill No. 3101
Assembly Bill No. 3419

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 72
Assembly Bill No. 287
Assembly Bill No. 462
Assembly Bill No. 467
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No. 1358
Assembly Bill No. 1359
Assembly Bill No. 1373
Assembly Bill No. 1382
Assembly Bill No. 1492
Assembly Bill No. 1517
Assembly Bill No. 1562
Assembly Bill No. 1775
Assembly Bill No. 1892
Assembly Bill No. 2003
Assembly Bill No. 2453
Assembly Bill No. 2665
Assembly Bill No. 2929
Assembly Bill No. 3017
Assembly Bill No. 3392

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 49
Senate Bill No. 858
Senate Bill No. 907
Senate Bill No. 1029
Senate Bill No. 1672
Senate Bill No. 1692

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1672—An act to amend Sections 2, 5, and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Referred to Committee on Boards and Commissions

Senate Bill No. 1692—An act to amend Section 28112 of the Government Code, relating to compensation for public services for counties.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate returns herewith, pursuant to your request:

Assembly Bill No. 2120

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

MOTION TO RESCIND ACTION ON ASSEMBLY BILL NO. 2120

Mr. Lipscomb moved to rescind the action whereby the Assembly on Monday, April 16th, passed Assembly Bill No. 2120.

Mr. Smith seconded the motion.

Motion carried unanimously.

Assembly Bill No. 2120 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2120, on motion of Mr. Lipscomb.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 954—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "which the subpena was issued is served on the person served with the subpena."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 955—An act to amend Sections 84, 137, 137.5, 138, 139, 140, 141, 146, and 169 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "146, and 169", and insert "and 146".

Amendment No. 2

On page 3, line 41, of said bill, strike out "and".

Amendment No. 3

On page 5 of said bill, strike out lines 23 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1162—An act to amend Section 1203.10 of the Penal Code, relating to probation reports.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1203 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "reports".

Amendment No. 3

On page 1, line 1, of said bill, after "Section 1", insert "Section 1203.10 of the Penal Code is amended to read:
1203.10."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 8, insert

"SEC. 2. Section 1203 of said code is amended to read:

1203. After the conviction by plea or verdict of guilty of a public offense not amounting to a felony, in cases where discretion is conferred on the court or any board or commission or other authority as to the extent of the punishment, the court, upon application of the defendant or of the people or upon its own motion, may summarily deny probation, or at a time fixed may hear and determine in the presence of the defendant the matter of probation of the defendant and the conditions of such probation, if granted [;] [if] *If* probation is not denied, and in every felony case in which the defendant is eligible [to] *for* probation, before any judgment is pronounced, and whether or not an application for probation has been made, the court must immediately refer the matter to the probation officer to investigate and to report to the

court, at a specified time, upon the circumstances surrounding the crime and concerning the defendant and his prior record, which may be taken into consideration either in aggravation or mitigation of punishment. [In those cases in which the defendant is not eligible for probation, the judge may in his discretion refer the matter to the probation officer for an investigation of the facts relevant to sentence; the] *The* probation officer must thereupon make an investigation of *the* circumstances surrounding the crime and *of* the prior record and history of the defendant, [and] *must* make a written report to the court of the facts found upon such investigation, and must accompany said report with his written recommendations, *including his recommendations* as to the granting or withholding of probation to the defendant and as to the conditions of probation if it shall be granted [and the] *The* report and recommendations must be filed with the clerk of the court as a record in the case. At [such] *the* time or times fixed by the court, the court must hear and determine such application, *if one has been made, or in any case the suitability of probation in the particular case,* and in connection therewith must consider any report of the probation officer, and must make a statement that it has considered such report which must be filed with the clerk of the court as a record in the case. If the court shall determine that there are circumstances in mitigation of punishment prescribed by law, or that the ends of justice *would be subserved by granting probation to the defendant, the court shall have power* in its discretion to place the defendant on probation as hereinafter provided; if probation is denied, the clerk of the court must forthwith send a copy of the report and recommendations to the Department of Corrections at the prison or other institution to which the defendant is delivered [; further provided, however, that].

[probation] *Probation* shall not be granted to any defendant who shall have been convicted of robbery, burglary, burglary with explosives, rape with force or violence, arson, murder, assault with intent to commit murder, attempt to commit murder, train wrecking, kidnaping, escape from a state prison, conspiracy to commit any one or more of the aforementioned felonies, and who at the time of the perpetration of said crime or any of them or at the time of his arrest was himself armed with a deadly weapon (unless at the time he had a lawful right to carry the same), nor to a defendant who used or attempted to use a deadly weapon upon a human being in connection with the perpetration of the crime of which he was convicted, nor to one who in the perpetration of the crime of which he was convicted wilfully inflicted great bodily injury or torture, nor to any defendant unless the court shall be satisfied that he has not been twice previously convicted of felony in this State nor twice previously convicted in any other place or places of public offenses which would have been felonies if committed in this State; nor to any defendant convicted of the crime of robbery, burglary of the first degree, burglary with explosives, rape with force or violence, arson, murder, attempt to commit murder, assault with intent to commit murder, train wrecking, extortion, kidnaping, escape from a state prison, violation of Sections 286, 288 or 288a of this Code, or conspiracy to commit any one or more of the aforesaid felonies, unless the court shall be satisfied that he has never been previously convicted of a felony in this State nor previously convicted in any other place of a public offense which would have been a felony if [convicted] *committed* in this State; nor to any defendant unless the court shall be satisfied that he has never been previously convicted of a felony in this State nor convicted in any other place of a public offense *which would have been a felony if committed in this State and at the time of the perpetration* of said previous offense or at the time of his arrest for said previous offense he was himself armed with a deadly weapon (unless at the time he had a lawful right to carry the same) or he personally used or attempted to use a deadly weapon upon a human being in connection with the perpetration of said previous offense or in the perpetration of said previous offense he wilfully inflicted great bodily injury or torture; nor to any public official or peace officer of the State, county, city, city and county, or other political subdivision who, in the discharge of the duties of his public office or employment, accepted or gave or offered to accept or give any bribe or embezzled public money or was guilty of extortion. No probationer shall be released to enter another state of the United States, unless and until his case has been referred to the California Administrator, Interstate Parole Compacts, pursuant to the Uniform Act for Out-of-State Parolee Supervision.

In those cases in which the defendant is not eligible for probation, the judge may in his discretion refer the matter to the probation officer for an investigation of the facts relevant to sentence. The probation officer must thereupon make an investigation of circumstances surrounding the crime and the prior record and history of the defendant and make a written report to the court of the facts found upon such investigation."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1483—An act providing for the constitution of the municipal court in a district embracing the City of Oceanside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City", and insert "Township".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City", and insert "Township".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive nine thousand dollars ($9,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint the following:

One deputy clerk, who shall receive three thousand three hundred sixty dollars ($3,360) per annum, payable in equal monthly installments;

(3) There shall be one marshal, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint one deputy marshal, who shall receive three thousand nine hundred sixty dollars ($3,960) per annum, payable in equal monthly installments.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county.

SEC. 2. The municipal court shall hold sessions in the City of Oceanside, only."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1486—An act providing for the constitution of the municipal court in a district embracing the City of Chula Vista, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "Vista", insert "and all of National Township, excluding the Cities of National City and Coronado, to be known and designated as South Bay Judicial District".

Amendment No. 2

On page 1, line 2, of said bill, after "Vista", insert "and all of National Township excluding the Cities of National City and Coronado, to be known and designated as South Bay Judicial District".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive nine thousand dollars ($9,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint the following:

One deputy clerk, who shall receive three thousand three hundred sixty dollars ($3,360) per annum, payable in equal monthly installments,

(3) There shall be one marshal, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint one deputy marshal, who shall receive three thousand nine hundred sixty dollars ($3,960) per annum, payable in equal monthly installments.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county.

SEC. 2. The municipal court shall hold sessions in the City of Chula Vista, only."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1487—An act providing for the constitution of the municipal court in a district embracing the City of El Cajon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City", and insert "Township".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City", and insert "Township".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive nine thousand dollars ($9,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint the following:

Two deputy clerks, each of whom shall receive three thousand three hundred sixty dollars ($3,360) per annum, payable in equal monthly installments;

(3) There shall be one marshal, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint one deputy marshal, who shall receive three thousand nine hundred sixty dollars ($3,960) per annum, payable in equal monthly installments

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county

SEC. 2. The municipal court shall hold sessions in the Cities of El Cajon and La Mesa."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3446—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 14, line 14, of the printed bill, strike out "in the purchase and sale of wine", and insert a comma.

Amendment No. 2

On page 14, line 15, of said bill, after "commission", insert ", in the purchase of wine".

Amendment No. 3

On page 14, line 15, of said bill, strike out ", other than", and insert "within or without this State".

Amendment No. 4

On page 14, line 16, of said bill, strike out "a retail licensee,".

Amendment No. 5

On page 14, line 16, of said bill, after "buy", insert "wine".

Amendment No. 6

On page 14, line 16, of said bill, strike out "or", and after "resale", insert "and in the sale of wine for or on behalf of a person, other than a retail licensee, licensed to".

Amendment No. 7

On page 14, line 17, of said bill, strike out "or without"

Amendment No. 8

On page 14, line 20, of said bill, after "sell", insert "any wine unless he shall first have a bona fide authorization therefor from a person, other than a retail licensee, licensed to sell wine in this State".

Amendment No. 9

On page 14, line 23, of said bill, strike out ", other than a retail licensee," and insert "within or without this State".

Amendment No. 10

On page 14, line 23, of said bill, after "buy", insert "wine"

Amendment No. 11

On page 14, line 24, of said bill, strike out "or sell wine".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "285, 286, 288a and 264", and insert "264, 286, 288a, 311 and 647a".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive; and in line 9, strike out "SEC. 2.", and insert

"SECTION 1."

Amendment No. 3

On page 1, line 14, of said bill, strike out "SEC. 3.", and insert

"SEC. 2."

Amendment No. 4

On page 1, line 18, of said bill, after "or", strike out the comma

Amendment No. 5

On page 1, line 19, of said bill, strike out the period, and insert "; provided, however, that one more than 10 years older than his co-participant in such an act, which co-participant is under the age of 14, or one compelling another's participation in such an act by force, violence, duress, menace, or threat of great bodily harm, shall be punished by imprisonment in the state prison for not less than three years."

Amendment No. 6

On page 1, line 20, of said bill, strike out "SEC. 4.", and insert

"SEC. 3."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 2 of said bill, after line 7, insert

"SEC. 4. Section 311 of said code is amended to read:

311. Every person who wilfully and lewdly, either:

1. Exposes his person, or the private parts thereof, in any public place, or in any place where there are present other persons to be offended or annoyed thereby; or,

2. Procures, counsels, or assists any person so to expose himself or to take part in any model artist exhibition, or to make any other exhibition of himself to public view, or the view of any number of persons, such as is offensive to decency, or is adopted to excite to vicious or lewd thoughts or acts; or,

3. Writes, composes, stereotypes, prints, publishes, sells, distributes, keeps for sale, or exhibits any obscene or indecent writing, paper, or book; or designs, copies, draws, engraves, paints, or otherwise prepares any obscene or indecent picture or print; or *molds, cuts, casts, or otherwise makes any obscene or indecent figure*; or,

4. Writes, composes, or publishes any notice or advertisement of any such writing, paper, book, picture, print or figure; or,

5. Produces, prepares, manufactures, sells, distributes, keeps for sale, exhibits, buys, rents, operates, uses, keeps, or maintains recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in producing or reproducing any lewd or obscene *song, ballad*, or other words, whether spoken or sung; or,

6. Sings or speaks any lewd or obscene song, ballad, or other words, in any public place, or in any place where there are persons present to be annoyed thereby, is guilty of a misdemeanor.

Upon the second and each subsequent conviction under subdivision 1 of this section, or upon a first conviction under subdivision 1 of this section after a previous conviction under Section 288 of this code, every person so convicted is guilty of a felony, and shall be punished by imprisonment in the state prison for not less than one year.

The provision of subdivision 6 of this section shall not apply to any person participating in violation thereof only as an actor, unless and until the proper court shall have passed upon the matter and found the actor to have violated the said subdivision 6 of this section, except where after a complaint has been filed against the owner, manager, producer or director charging a violation of said subdivision 6 of this section, and pending the determination thereof an actor or actress utters the particular word or words complained against or other word or words of the same or similar import, in connection with such performance, act, play, drama, exhibition or entertainment.

SEC. 5. Section 647a of said code is amended to read:

647a. (1) Every person who annoys or molests any child under the age of [14] *18* is a vagrant and is punishable upon first conviction by a fine of not exceeding five hundred dollars ($500) or by imprisonment in the county jail for not exceeding six *months or by both such fine and imprisonment and is punishable upon the second and* each subsequent conviction or upon the first conviction after a previous conviction under Section 288 of this code by imprisonment in the state prison [not exceeding five years] *for not less than one year*.

(2) Every person who loiters about any school or public place at or near which school children attend, or who loiters in or about public toilets in public parks, is a vagrant, and is punishable by a fine of not exceeding five hundred dollars ($500) or *by imprisonment in the county jail for not exceeding six months, or by both such fine* and imprisonment."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2—An act to provide for the establishment of a judicial district comprising the City of San Fernando, including the establishment and functioning of a municipal court therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to provide for the establishment of municipal courts in certain judicial districts."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. In any municipal court judicial district which includes a city and township which contains a population of 40,000 or less inhabitants, which city might be constituted a separate municipal court judicial district pursuant to Article VI, Section 11 of the Constitution, there shall be a regular session of the court in such city *and the incumbent inferior court judges in such city and township shall*, if qualified on the date such inclusion becomes effective, become judges of the municipal court in the district including such city, and the number of municipal court judgeships in such district shall be increased by the number of such qualified inferior court judges."

Amendment No. 3

On page 1, line 21, of said bill, strike out "7", and insert "2".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 712—An act to amend Section 261 of the Probate Code, relating to notices in estates of missing persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "261", and insert "265".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 265 of the Probate Code is amended to read:

265. The trustee must take possession of the real and personal estate in this State of such missing person, and collect and receive the rents, income, and proceeds thereof, collect all indebtedness owing to him, and pay the expenses thereof out of the trust funds, and pay such indebtedness of the missing person as may be authorized by the court. The court may direct the trustee to pay to the person or persons constituting the family of the missing person such sum or sums of money for family expenses and support from the income *or principal* of the estate as it may, from time to time, determine."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1416—An act providing for the constitution of the municipal court in a district embracing the City of San Fernando, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments.

(2) There shall be one clerk to be appointed by the judge, who shall receive a minimum salary of four hundred dollars ($400) monthly, with annual increments of ten dollars ($10) to a maximum of four hundred fifty dollars ($450) monthly, and who may appoint the following:

One deputy clerk, who shall be the court clerk and who shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

One deputy clerk who shall receive a minimum salary of two hundred seventy-five dollars ($275) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred twenty-five dollars ($325) monthly.

(3) There shall be one marshal who shall receive a minimum salary of four hundred dollars ($400) monthly, with annual increments of ten dollars ($10) to a maximum of four hundred fifty dollars ($450) monthly, and who may appoint the following:

One deputy marshal (court bailiff) who shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

One deputy marshal, who shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

Two deputies (custodians) at the fee allowed by law

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2384—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees in superior and municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "4300f of the Political Code and Section 196 of the Code of Civil Procedure", and insert "28102 of the Government Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28102 of the Government Code is amended to read:

28102 In a county of the second class the officers shall receive as compensation for the services required of them by law or by virtue of their offices the salaries and fees fixed pursuant to the charter of the county.

The fees of grand jurors and trial jurors in the superior court, and trial jurors in the municipal court, in both civil and criminal cases, shall be five dollars ($5) for each day's attendance upon the court or a session of the grand jury. Fees of grand jurors and trial jurors in criminal cases shall be a charge against the county or city and county and shall be paid from county or city and county funds on or about the first day of the following month as certified to by the court. Fees in civil cases, unless otherwise provided for, are to be deposited by the litigants and shall be payable to jurors only for each day's actual service upon a jury."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 23, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 5, 1951, strike out lines 3 to 21, inclusive, and insert

"160.96. Any person suffering loss or damage resulting from the use or application by others of any pesticide, or of any substance, method or device for pesticidal purposes or for the purpose of preventing, destroying, repelling, mitigating or correcting any disorder of plants or for the purpose of inhibiting, regulating, stimulating or

otherwise altering plant growth by direct application to plants must, within sixty (60) days from the occurrence of such loss or damage, or in the event a growing crop is alleged to have been damaged, prior to the time fifty percent (50%) of said crop shall have been harvested, provided such loss or damage was or should reasonably have been known, file with the County Commissioner of the county in which the loss or damage, or some part thereof, is alleged to have occurred, a verified report of loss setting forth so far as known to the claimant the following: Name and address of claimant, type, kind and location of property allegedly injured or damaged, date the alleged injury or damage occurred, name of pest control operator allegedly responsible for such loss or damage, and name of the owner or occupant of the property for whom such pest control operator was rendering labor or services

The filing of such report or the failure to file such report need not be alleged in any complaint which might be filed, and the failure to file the report as herein provided for shall not be a bar to the maintenance of a civil action for the recovery of damages for such loss or damage

Proof of failure to file the report herein required shall create a rebuttable presumption that no such loss or damage occurred

"Pesticide" means any economic poison as defined in Section 1061 of this code.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 1002—An act to add Section 6005 to the Penal Code, relating to trials of persons committed to the Youth Authority.

Bill read second time, and ordered to third reading.

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 1171—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 544—An act to amend Section 103a of the Code of Civil Procedure, relating to justice court clerks.

Bill read second time, and ordered to third reading.

Senate Bill No. 545—An act to amend Section 103¾ of the Code of Civil Procedure, relating to clerks.

Bill read second time, and ordered to third reading.

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Bill read second time, and ordered to third reading.

Senate Bill No. 1172—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from judgments in small claims courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1173—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "a nonnavigable lake", and insert "Upper Lake, Middle Lake, or Lower Lake in Surprise Valley".

Amendment No. 2

On page 1, line 10, of said bill, strike out "nonnavigable".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1200—An act to amend Sections 1502.5, 1509.7, 1509.9, 1513, 1518.2, 1535.3, 1541, 1560, 1562, 1571, 1581, 1586, 1587, and to repeal Article 10.5, comprising Sections 1595 to 1598, inclusive, of, and to add Sections 1505.5, 1535.7, 1535.8, 1542, 1585, and 1587.5 to, the Military and Veterans Code, and to amend Section 8 5 of the Civil Defense Act of 1950, relating to civil defense, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 8, line 13, of the printed bill, as amended in the Senate on May 23, 1951, before the period, insert "if a substantially similar license, certificate or other permit is issued in this State to applicants possessing the same professional, mechanical or other skills".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1560—An act to amend Section 3440 of, and add Section 3440.1 and 3440.5 to, the Civil Code, relating to transfers of particular personal property without delivery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on May 17, 1951, after "3440.1", insert "(1)".

Amendment No. 2

On page 2, line 25, of said bill, strike out "does all the following:", and insert "records and publishes as required in subdivisions (a) and (b) as follows:".

Amendment No. 3

On page 2, line 33, of said bill, strike out "and location".

Amendment No. 4

On page 2, line 37, of said bill, after "mortgage," strike out "the", and insert "the notice shall state whether or not there is to be an escrow holder, and if so, his".

Amendment No. 5

On page 2, line 38, of said bill, strike out "of the escrow holder hereinafter required".

Amendment No. 6

On page 2, line 46, of said bill, strike out "(c) Establishes an escrow", and insert "If an escrow is established in connection with the transaction, such escrow shall be".

Amendment No. 7

On page 2 of said bill, strike out lines 49 and 50, and insert "or purchase, and the parties shall deposit with the escrow holder a written agreement or escrow instructions which".

Amendment No. 8

On page 3, line 10, of said bill, after "presented", insert "exclusive of demands of said claim which are not ascertainable by the escrow holder as to the total amount".

Amendment No. 9

On page 3, line 11, of said bill, strike out "; and further", and insert ", but in no case beyond 30 days after the creditor receives written notice of rejection of his claim."

Amendment No. 10

On page 3 of said bill, strike out lines 12 to 19, inclusive.

Amendment No. 11

On page 3, line 33, of said bill, before "The", insert "(2)".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "professional".

Amendment No. 2

On page 1, line 5, of said bill, after "match", insert ", except that any person of the age of 17 years or over, who is a registered amateur boxer in any state or territory where a person who has attained the age of 17 years may box legally, may participate in an amateur boxing contest held by the United States Olympic Association for the purpose of selecting contestants for the Olympic Games to be held in 1952".

Amendment No. 3

On page 1, line 7, of said bill, strike out "of the age of 16 years or over and shall be".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Boards and Commissions.

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A non-profit corporation or association which has been in existence for not less than one year and which is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, having at least one hundred bona fide members, and requiring the payment of regular membership dues amounting to not less than twelve dollars ($12) a year"

Amendment No. 2

On page 3, line 42, of said bill, strike out "April 1, 1947", and insert "April 1, 1951".

WAY
BURNS
Senate Committee on Conference

McCOLLISTER
LYON
DOYLE
Assembly Committee on Conference

Point of Order

Mr. Grunsky arose to the following point of order: That copies of Assembly Bill No. 99, as amended, are not on the desks of the Members, and discussion of the report of the Committee on Conference should be deferred until copies of said bill are distributed.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Report of Committee on Conference concerning Assembly Bill No. 99 ordered passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county central committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 24, 1951, after the period, insert "This section shall apply only to the county central committees of those parties with which more than 2,500,000 voters were registered as being affiliated for the next preceding gubernatorial election"

BURNS
DILWORTH
REGAN
Senate Committee on Conference

LYON
BRADY
McCOLLISTER
Assembly Committee on Conference

~~The roll was called, and the report adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Parker, Porter, Silliman, Stanley, Thomas, Tomlinson, and Waters—50]
[NOES—Coats, Evans, Hawkins, and Rumford—4]

On this day the above action, whereby the report of the Committee on Conference concerning Senate Bill No. 789 was adopted, was rescinded. (See page 5173.)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 767—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26738, and 26741 of the Government Code, relating to fees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 767?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "26741", insert ", and 27826"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 2 of said bill, as amended, after line 19, insert

"SEC. 9. Section 27826 of said code is amended to read:

27826 For each mile traveled out of his county, both going to and returning from the place of arrest, a constable shall charge [five] *fifteen* cents [($0.05)] *($0.15)*. For traveling in the performance of two or more official services at the same time, including the service of process or criminal warrants, or the transportation of persons charged or convicted of a criminal offense, but one mileage shall be charged."

Amendment No. 3

In line 1 of the title of the printed bill, as amended in Senate May 23, 1951, strike out "26725,".

Amendment No. 4

On page 1, line 1, of said bill, as amended, strike out "26725", and insert "26726".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 3 to 6, inclusive.

Amendment No. 6

On page 1, line 16, of said bill, as amended, strike out "3", and insert "2".

Amendment No. 7

On page 1, line 20, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 8

On page 1, line 23, of said bill, as amended, strike out "5", and insert "4".

Amendment No. 9

On page 2, line 4, of said bill, as amended, strike out "6", and insert "5".

Amendment No. 10

On page 2, line 8, of said bill, as amended, strike out "7", and insert "6".

Amendment No. 11

On page 2, line 14, of said bill, as amended, strike out "8", and insert "7".

Amendment No. 12

On page 2, line 17, of said bill, as amended, strike out "9", and insert "8".

Amendment No. 13

On page 2, line 22, of said bill, as amended, after "of", insert "civil".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 767 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Assembly Bill No. 767 ordered enrolled.

Assembly Bill No. 2065—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Sections 6301.5 and 6301.6 to, the Education Code, relating to school district budgets.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2065?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "6301,".

Amendment No. 2

In line 1 of the title of said bill, as amended, strike out the second ", and"; and strike out all of line 2.

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "6301", and insert "6302".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 3, inclusive.

Amendment No. 5

On page 3, line 33, of said bill, as amended, after "deduct", insert "an amount not to exceed".

Amendment No. 6

On page 3, line 38, of said bill, as amended, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 7

On page 4, line 15, of said bill, as amended, strike out "SEC. 5", and insert "SEC 3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2065 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Assembly Bill No. 2065 ordered enrolled.

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2907?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "14810", and insert "14813".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "14811 to, to amend Section 14540", and insert "14814 to, to amend Sections 14540 and 14811".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, between lines 3 and 4, insert

"SEC. 5. Section 14811 of said code is amended to read:

14811. Persons entitled to file petition. [Inhabitants] *Property owners* of the incorporated portion of the district, whose names appear upon the last preceding assessment roll of the county or city within which the incorporated portion of the district is located, owning or representing more than one-half in value of the assessed real property in the incorporated portion of the district, or owning or representing more than one-half in value of the assessed real property within the incorporated portion of the district owned by its residents, may file a verified petition with the board of supervisors, requesting that the area within the city may be excluded from the district."

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "SEC. 5. Section 14810", and insert

"SEC. 6. Section 14813".

Amendment No. 5

On page 2, line 6, of said bill, as amended, strike out "14810", and insert "14813".

Amendment No. 6

On page 2, line 9, of said bill, as amended, strike out "SEC. 6. Section 14811", and insert

"SEC. 7. Section 14814".

Amendment No. 7

On page 2, line 11, of said bill, as amended, strike out "14811", and insert "14814".

Amendment No. 8

On page 2 of said bill, as amended, after line 18, insert

"SEC. 8. Section 4 of this act shall not be operative with respect to portions of fire protection district territory included within cities by annexations or incorporations completed prior to the effective date of this act."

~~The roll was called. and the Assembly concurred in Senate amendments to Assembly Bill No. 2907 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.]

[NOES—None.]

~~Assembly Bill No. 2907 ordered enrolled.~~

On this day, Assembly Bill No. 2907 was recalled from enrollment (see page 5182); and the above action, whereby the Assembly concurred in Senate amendments to Assembly Bill No. 2907, was rescinded. (See page 5186.)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2573—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2695—An act to amend Section 118 of the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Silliman, Smith, Stanley, Tomlinson, and Waters—55.

NOES—Elliott and Hawkins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Hansen, Shaw, Porter, and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2689.

Point of Order

Mr. Geddes arose to the following point of order: That the time of Messrs. Burkhalter and Conrad has expired.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 2689.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Coats, George D Collins, Condon, Cooke, Crowley, Dickey, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—42.

NOES—Cloyed, Collier, Conrad, Grunsky, Gubser, Hansen, Kirkwood, Levering, Lincoln, Lyon, Niehouse, and Silliman—12

Bill ordered transmitted to the Senate.

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 789

Mr. Lyon asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted the report of the Committee on Conference concerning Senate Bill No. 789, and that said report be returned to the unfinished business file, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read third time.

Motion for Committee of the Whole

Mr Levering moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing debate on Assembly Bill No. 3217.

Mr. Geddes seconded the motion.

Substitute Motion

Mr. Lanterman moved, as a substitute motion, that the Assembly resolve itself into a Committee of the Whole tomorrow, and that Assembly Bill No. 3217 be made a special order of business for 10.30 a.m.

Mr. Shaw seconded the substitute motion.

Substitute Motion Withdrawn

Mr. Shaw withdrew his second.

Mr. Lanterman withdrew his substitute motion.

Substitute Motion to Set Special Order

Mr. Lanterman moved, as a substitute motion, that Assembly Bill No. 3217 be made a special order of business for Thursday, June 6, 1951, at 10.30 a.m.

Mr. Condon seconded the substitute motion.

The roll was called, and the substitute motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—Dunn, Luckel, and Morris—3.

Hon. Francis Dunn, Jr., Presiding

At 11.14 a.m., Hon. Francis Dunn, Jr., Member of the Assembly from the Thirteenth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1530

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Demand for Previous Question

Messrs. Shaw, Klocksiem, Kelly, Luckel, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 424.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Gubser, Hawkins, Henderson, Kelly, Lanterman, Lincoln, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Waters—41

NOES—Babbage, Clarke, Collier, Conrad, Geddes, Grunsky, Hagen, Hansen, Hinckley, Kirkwood, Klocksiem, Levering, Luckel, Moss, Shaw, Silliman, Smith, and Tomlinson—18.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.35 a m , Mr. Porter asked for, and was granted, unanimous consent that Mr. Grant be excused, for the balance of the legislative day, because of legislative business in the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 193 Hold Place on File

Mr. Waters asked for, and was granted, unanimous consent that Assembly Bill No. 193 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3188—An act to amend Section 4714 and to repeal Section 4965 of the Education Code, relating to unified school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Collier, George D Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Elliott, Fleury, Gaffney, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1969—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99 BE WITHDRAWN

Mr. McCollister asked for, and was granted, unanimous consent that the report of the Committee on Conference concerning Assembly Bill No. 99 be withdrawn from the desk for purpose of correcting the amendments.

Speaker Pro Tempore Presiding

At 11.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time.

~~The roll was called, and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets:

[AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—61]

[NOES—None.]

~~Bill ordered transmitted to the Senate.~~

On June 11, 1951, the Senate was requested to return Assembly Bill No. 1879 to the Assembly for further consideration (see page 5450); on June 12th, the Senate returned the bill; and, on the same day, the Assembly rescinded the above action whereby the bill was passed (see page 5520).

Assembly Bill No. 1995—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grunsky, Hagen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1993—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code, relating to the motor vehicle fuel storage tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 3121 for further consideration.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2712, on request of Mr. Dickey.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2631, on motion of Mr. Caldecott.

ANNOUNCEMENT

Mr. Dunn announced that the motion picture he discussed yesterday, which pertains to the subject of sex crimes, will be shown by the State Bureau of Audio-Visual Education today at 1.30 p.m., in Room 3184, for the benefit of those interested.

RECESS

At 11.55 a.m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m., Mr. Luckel asked for, and was granted, unanimous consent that Mr. Burke be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2599

Mr. Stewart asked for, and was granted, unanimous consent to take up the report of Committee on Conference concerning Assembly Bill No. 2599, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and to amend Section 6 of, the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, of the title and insert

"An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 17, inclusive:

Amendment No. 3

Strike out all of pages 2, 3, 4, 5; and on page 6, strike out lines 1 to 48, inclusive, and insert

"SECTION 1. Section 6 of the Metropolitan Water District Act is amended to read:".

Amendment No. 4

On page 9 of the printed bill, strike out lines 27 to 36, inclusive.

JAMES E. CUNNINGHAM	STEWART
TENNEY	WATERS
WATSON	PORTER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—47.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Stewart asked for, and was granted, unanimous consent that a letter of transmittal and Report of the Assembly Interim Committee on Governmental Efficiency and Economy relative to the following subjects be ordered printed in the Journal, in 10 point type:

Saturday Closing of State Offices; Licensing of Professional Engineers;

Insured Business Loans; Construction of a Scientific and Technical Museum; and Investigation of Authenticity of Statements Made By Arthur Samish In *Collier's* Magazine Re: Lobbying

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1586

Mr. Levering asked for, and was granted, unanimous consent to take up Senate Bill No. 1586, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1586

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 24, 1951, strike out "Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of," and insert "Sections 103.3 and 104.7 to".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "in respect to the construction and administration of the laws relating thereto".

Amendment No. 3

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 104.7 is added to said code, to read:

104.7. Upon the death of a person who was a recipient of any form of public assistance for which state grants-in-aid are made to the counties, except aid to needy children, within the period of five years immediately preceding the date of his death, the county shall have a claim against the entire estate of the recipient for reimbursement for all such public assistance granted to the recipient after the date this section takes effect and within the five years immediately preceding the death of the recipient, and shall file such claim against the estate of the recipient. Such claim shall have the same priority as a judgment against the estate of the recipient.

Whenever the recipient leaves a surviving spouse, however, the claim of the county against the estate of the recipient shall be subordinate to the rights of the surviving spouse to that portion of the estate to be received by the surviving spouse, but superior to the rights of all other heirs, devisees, and legatees to any other portion of the estate, if the surviving spouse executes an agreement, specifically describing the portion of the estate to be received by the spouse, and acknowledged by the spouse in the same manner as a grant of real property, and recorded in the office of the county recorder of each county in which any real property to be received by the spouse lies, that the surviving spouse will not transfer or encumber such property without the consent of the county, and consents to the provisions of this section. Upon the death of the surviving spouse, the county shall have all the rights of a judgment creditor against that portion of the estate of the spouse received by the spouse from the predeceased recipient and described in the agreement, in the amount of the public assistance granted to the recipient within five years preceding his death and after the effective date of this section, and not repaid to the county."

Amendments read.

Request for Unanimous Consent That Amendments Be Printed in Journal Without Action

Mr. Levering asked for unanimous consent that his proposed amendments to Senate Bill No. 1586 be ordered printed in the Journal, without action, at this time.

Mrs. Niehouse withheld unanimous consent.

Motion to Print Amendments in Journal Without Action

Mr. Levering moved that his proposed amendments to Senate Bill No. 1586 be printed in the Journal, without action, at this time.

Mr. Meyers seconded the motion.

Substitute Motion

Mrs. Niehouse moved, as a substitute motion, that Senate Bill No. 1586, with the proposed amendments being offered by Mr. Levering, be re-referred to the Committee on Social Welfare.

Mr. Henderson seconded the substitute motion.

By unanimous consent, Senate Bill No. 1586, with the proposed amendments, was ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 386

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 386, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 386

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 30, 1951, strike out lines 9 to 14, inclusive, and insert

"(3) Studied law diligently and in good faith for at least four years."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3245—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1951, after "of", insert "and to add Section 13117 to".

Amendment No. 2

On page 2 of said bill, between lines 14 and 15, insert

"SEC. 2. Section 13117 is hereby added to the Government Code to read:".

Amendment No. 3

On page 2, line 15, of said bill, strike out "SEC. 3", and insert

"13117"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2501—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 30, 1951, strike out "one hun-"; and strike out lines 10 to 11, inclusive, and insert "two hundred twenty-five dollars ($225) in each of two calendar quarters of his base period."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 3440 Hold Place on File

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Bill No. 3440 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1745

Mr. Kirkwood asked for, and was granted, unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No. 1745, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 21, 1951, be further amended as follows:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 21, 1951, strike out line 30, and insert "more binders per unit length, except, however, if unit lengths are twelve feet (12') or more in length such loads shall be secured by three (3) or more binders per unit length, and except that loads of laths shall".

Amendment No. 2

Strike out pages 8 and 9 of the printed bill, as amended in the Assembly on May 21, 1951.

WAY	KIRKWOOD
HULSE	COOKE
HATFIELD	LUCKEL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1426

Mr. Lanterman asked for, and was granted, unanimous consent to take up Assembly Bill No. 1426, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1426

Assembly Bill No. 1426—An act providing for the constitution of the municipal court established in the City of Pasadena and in a district embracing the City of Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 155

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 155, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 155

Assembly Bill No. 155—An act to amend Section 373 of the Elections Code, relating to printing of indices of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—62.

NOES—None.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr Lyon asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 155, and that he be recorded as voting "Aye" instead of "No".

Motion to Amend Title

Mr. Waters moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "printing of indices", and insert "indexes".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2907 FROM ENROLLMENT

Mr. McFall asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the return from enrollment of Assembly Bill No. 2907.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2569—An act to add Section 13657 to the Education Code, relating to the rights of certificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Chapel, Clarke, Cloyed, Collier, George D. Collins, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—54.

NOES—Kirkwood—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2286—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2283

Mr. Davis asked for, and was granted, unanimous consent to take up Assembly Bill No. 2283, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2283

Assembly Bill No. 2283—An act to amend Section 28145 of the Government Code, relating to compensation for public services in counties of the forty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—56

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3433

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Bill No 3433, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3433

Assembly Bill No. 3433—An act to add Chapter 1.7 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Sherwin, Silliman, Stanley, Tomlinson, and Waters—49

NOES—Beck, Davis, Dills, Dunn, Henderson, McCollister, Shaw, and Smith—8.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 542—An act to amend Section 3077 of the Labor Code, relating to the Apprenticeship Labor Standards Act;

Assembly Bill No. 545—An act to amend Section 6604 of the Labor Code, relating to workmen's safety;

Assembly Bill No. 840—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1088—An act to amend Sections 680, 682, and 684 of the Probate Code, relating to family allowances from estates;

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, and 28014 of, and to add Section 28000½ to, the Health and Safety Code, relating to horse, mule and/or burro meat and their by-products and animal food;

Assembly Bill No. 1788—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, to repeal Part 4, comprising Sections 8590 to 8596, inclusive, of Division 10 of, and to add Section 5302 5 to, the Streets and Highways Code, relating to public works and improvements;

Assembly Bill No. 1839—An act to amend Sections 542, 690 24 and 690 26 of the Code of Civil Procedure, relating to attachment, exemptions and supplementary proceedings;

Assembly Bill No. 2067—An act to add Sections 1511 1, 2020.01, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3384—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor;

Assembly Bill No. 3425—An act to add Section 845 1 to the Fish and Game Code, relating to nets;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p.m

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 494

Mr. Coats asked for, and was granted, unanimous consent to take up Assembly Bill No. 494, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 494

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 31, 1951, after line 9, insert

"The provisions of Section 254 of the Penal Code and every other provision of law establishing a defense or privilege for persons accused in civil or criminal actions for libel or slander shall be available to a person accused of a violation of this section."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 1980, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1980

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 29, 1951, strike out "ten thousand dollars ($10,000) per annum", and insert "a range of $676, $710, $745, $782, $821".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "sixty-six thousand three hundred dollars ($66,300)", and insert "thirty-eight thousand seven hundred thirty-four dollars ($38,734)".

Amendments read, and adopted.

Bill ordered reprinted and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 1418 Hold Place on File

Mr. Smith asked for, and was granted, unanimous consent that Assembly Bill No 1418 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2907

Mr. McFall asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 2907.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2907

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2907?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "14810", and insert "14813".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "14811 to, to amend Section 14540", and insert "14814 to, to amend Sections 14540 and 14811".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, between lines 3 and 4, insert

"SEC. 5. Section 14811 of said code is amended to read:

14811. Persons entitled to file petition. [Inhabitants] *Property owners* of the incorporated portion of the district, whose names appear upon the last preceding assessment roll of the county or city within which the incorporated portion of the district is located, owning or representing more than one-half in value of the assessed real property in the incorporated portion of the district, or owning or representing more than one-half in value of the assessed real property within the incorporated portion of the district owned by its residents, may file a verified petition with the board of supervisors, requesting that the area within the city may be excluded from the district."

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "SEC. 5. Section 14810", and insert

"SEC 6 Section 14813".

Amendment No. 5

On page 2, line 6, of said bill, as amended, strike out "14810", and insert "14813".

Amendment No. 6

On page 2, line 9, of said bill, as amended, strike out "SEC. 6. Section 14811", and insert

"SEC. 7. Section 14814".

Amendment No. 7

On page 2, line 11, of said bill, as amended, strike out "14811", and insert "14814".

Amendment No. 8

On page 2 of said bill, as amended, after line 18, insert

"SEC. 8. Section 4 of this act shall not be operative with respect to portions of fire protection district territory included within cities by annexations or incorporations completed prior to the effective date of this act."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2907 by the following vote:

AYES—Berry, Gaffney, and McFall—3.

NOES—Babbage, Beck, Belotti, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, and Stewart—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 2907

The Speaker announced the appointment of Messrs Parker, Gaffney, and McFall as a Committee on Conference concerning Assembly Bill No. 2907.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Stewart—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 872—An act to add Sections 8151.1, 13401.1, and 16276 to the Education Code, all relating to aid by the public schools in the harvesting of crops.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Stewart—56

NOES—George D Collins and Davis—2.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 34—Relative to memorializing Congress to refuse the passage of H. R. 3348.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Waters—57.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1717—An act to amend Section 51b of the Public Utility District Act, relating to the annexation of territory to public utility districts declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—61.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 48—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 184—An act to amend Section 457 of the Education Code, relating to county school superintendents' salaries and qualifications in counties of its fifty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—60

NOES—Geddes and Hollibaugh—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1453

Mr. Silliman asked for, and was granted, unanimous consent to take up Senate Bill No. 1453, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1453

Senate Bill No. 1453—An act to amend Section 745.2 of the Agricultural Code, relating to the California Dairy Industry Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1107

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1107, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1107

Senate Bill No. 1107—An act to add Sections 100.6, 822.5, and 1670 of, and add Section 1626 to, the Streets and Highways Code, relating to highways and trails on or crossing county or state boundary lines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1633

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 1633, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1633

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—61.

NOES—George D. Collins, Elliott, and Hawkins—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 364

Mr. Kelly asked for, and was granted, unanimous consent to take up Senate Bill No. 364, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 364

Senate Bill No. 364—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 233

Mr. Sherwin asked for, and was granted, unanimous consent to take up Senate Bill No. 233, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 233

Senate Bill No. 233—An act to amend Section 13551 and to repeal Section 13552 of the Government Code, relating to prices to be charged for state printing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle,

Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 539

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 539, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 539

Senate Bill No. 539—*An act to amend Section 11699 of the Insurance Code, relating to the business of workmen's compensation insurance.*

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 414

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 414, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 414

Senate Bill No. 414—*An act to amend Sections 15000, 15004, 15154, 15254, 16900, 16906, 16950, 16953, 16959, 17000, 17001, 17080, and 17088 of, to add Sections 15004.2, 15151.3, 15159, 15160, 16161, 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080.3 and 17085.5 to, and to repeal Sections 16951, 16952, 16954, 16955, 16956, 16958, 17081, 17082, 17083, 17084, 17086, and 17087, and Articles 2, 3, and 4 of Chapter 22 of Part 1 of Division 13 of, the Health and Safety Code, relating to health and safety requirements for housing.*

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 896

Mr. Sherwin asked for, and was granted, unanimous consent to take up Senate Bill No. 896, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 896

Senate Bill No. 896—An act to repeal Section 8968 of the Business and Professions Code, relating to moneys in the Yacht and Ship Brokers Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—62.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1210

Mr. Clarke asked for, and was granted, unanimous consent to take up Senate Bill No 1210, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 1210

Senate Bill No. 1210—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in Special Revolving Funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen,

Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 70—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 744—An act to amend Sections 11005, 13370, and 18004 of the Government Code, relating to approval powers of the Director of Finance or the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 916—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 939—An act to amend Section 692.5 of the Political Code, relating to approval by the Director of Finance of leases and license to use real property executed by the Reclamation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 145—An act to amend Section 32355 of the Government Code, relating to retirement systems benefits in county fire service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1576—An act to add Article 12.5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to add Article 7, comprising Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302.3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the blind, to provide for orientation centers and California Industries for the Blind and for state purchase of products made in institutions for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—61.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 731

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No 731, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 731

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Gubser, Hagen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 459

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Bill No. 459, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 459

Senate Bill No. 459—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary lines, streets and highways and vehicles using the same.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—58

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney and Waters:

House Resolution No. 175—Commending Sam E. Collins.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up House Resolution No. 175, at this time, without reference to committee or file.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 175 as Co-authors

Mr. Waters asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 175 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 175:

Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

Further Consideration of House Resolution No. 175

By Messrs. Maloney, Waters, Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson:

House Resolution No. 175

WHEREAS, There was today, June 6, 1951, admitted to practice by all of the courts of the State of California Mr. Sam E. Collins; and

WHEREAS, This represents the successful culmination of a long period of study; and

WHEREAS, This period of study was interrupted by the necessity of Mr. Collins' serving in the United States Marines during World War II; and

WHEREAS, This achievement on his part is a source of deep gratification to his father, the Honorable Sam L. Collins, Speaker of the Assembly, his mother, Mrs. Jodeane Collins; his wife, Mrs Mona Collins; and his children; and

WHEREAS, The Members of the Legislature, friends of Mr. and Mrs. Sam L Collins, are deeply gratified at the successful achievement of their son; therefore be it

Resolved, That we do commend and felicitate Mr. Sam E. Collins for the honor and joy that he has brought to his parents and family, and do congratulate him upon his admission to practice law in the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare suitably engrossed copies of this resolution and send them to Mr. Sam E. Collins and Mr. Sam L. Collins.

Resolution read, and adopted unanimously.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 55
Assembly Bill No. 93
Assembly Bill No. 445
Assembly Bill No. 529
Assembly Bill No. 1029

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 370	Assembly Bill No. 1164
Assembly Bill No. 625	Assembly Bill No. 1293
Assembly Bill No. 1051	Assembly Bill No. 1819

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 928

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county central committees.

J. A BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 279—An act to add Sections 687, 687.1, and 687.2 to the Vehicle Code, relating to equipment of vehicles

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

ANNOUNCEMENT

Mr. Geddes announced that the last hearing on bills in the Committee on Finance and Insurance will be held on next Monday, and urged all members desiring to set bills for hearing before said committee to see him today.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4 p.m.—

Subcommittee on Education, in Room 426. Subject: county superintendent of schools bills.

At 8 p.m.—

Education, in Room 432.
Municipal and County Government, in Room 2170.
Constitutional Amendments, in Room 3184.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 2170.
Governmental Efficiency and Economy, in Room 3184.
Rules, in Room 319.

Next Monday, June 11th, at 8 p.m.—

Finance and Insurance, in Room 3184.

REPORT ON

SATURDAY CLOSING OF STATE OFFICES

House Resolution No. 300, 1949

LICENSING OF PROFESSIONAL ENGINEERS

House Resolution No. 189, 1949

INSURED BUSINESS LOANS

Assembly Bill No. 26, 1950 First Ex. Session

CONSTRUCTION OF A SCIENTIFIC AND TECHNICAL MUSEUM

Assembly Bill No. 92, 1950 First Ex. Session

INVESTIGATION OF AUTHENTICITY OF STATEMENTS MADE BY ARTHUR SAMISH IN COLLIER'S MAGAZINE RE: LOBBYING

By

ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY INTERIM COMMITTEE
ON GOVERNMENTAL EFFICIENCY AND ECONOMY

To the Honorable Sam L. Collins, Speaker, and to the Members of the Assembly:

Your Interim Committee on Governmental Efficiency and Economy has had referred to it a number of resolutions and the subject matter of several bills which were considered at the last regular session and the 1950 First Extraordinary Session of the Legislature.

House Resolution Number 183, dealing with the problem of possible conflicts in building regulations, has been under intensive study, and has been a subject of considerable interest to public agencies and to the professions and industries engaged in building. Because of this widespread interest, we have filed with the Assembly a separate report on that resolution.

This report is concerned with all other matters referred to this committee for investigation.

Respectfully submitted.

A. I. STEWART, Chairman
LAUGHLIN E. WATERS, Vice Chairman
RALPH M. BROWN
JOHN L. E. COLLIER
CHARLES J. CONRAD
WILLIAM S. GRANT
AUGUSTUS F. HAWKINS
LUTHER H. LINCOLN
GLENARD P. LIPSCOMB
ROBERT I. McCARTHY
LESTER A. McMILLAN

SATURDAY CLOSING OF OFFICES

The need for studying the question of permitting the closing of state offices on Saturday can best be stated by repeating House Resolution No. 300:

"House Resolution No. 300

"Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study the feasibility of closing state offices on Saturday

"WHEREAS, State offices are required by law to remain open on Saturday mornings, which unnecessarily increases the cost of State Government in those instances where there is not sufficient use of the office to justify it; and

"WHEREAS, Some state offices have their heaviest work load on Saturday and a study should be made of those offices to determine if, in the interests of the public and the employees, there are ways of distributing the work more evenly over the other days in the week and of better scheduling the working days and hours of the employees involved; and

"WHEREAS, There was legislation introduced and considered in this session of the Legislature dealing with the closing of state offices on Saturday; and

"WHEREAS, Action was deferred on such legislation because of insufficient information on the various problems involved in closing some or all state offices on Saturdays and of the general effect of such legislation upon the public and the state employees; and

"WHEREAS, The Legislature should consider the matter at the next regular session and therefor have full and complete information on the subject by that time; now, therefore, be it

"*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Governmental Efficiency and Economy created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts and data relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws and departmental policies in any way bearing thereon or relating thereto and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation or other action.

"Resolution read, and adopted."

The committee has considered this subject on several occasions, and held a public hearing in Sacramento on August 4, 1950, at which representatives of state departments testified concerning the effect on their operations of legislation which might permit Saturday closing of offices.

We find the facts to be as follows:

1. The Legislature has already authorized the closing of city and county offices; and many local jurisdictions have already exercised this authority. Almost without exception, the larger cities and counties have converted to a regular 5-day week, with little, if any, evidence of public dissatisfaction or impairment of public service. In all such cases, of course, necessary protective services, such as those provided by the police, fire and health departments are continued throughout the week

2. With exceptions mentioned below, it is the general belief of representatives of state departments that there is no benefit in the present arrangement under which offices are kept open with skeleton crews on Saturday morning.

3. With only skeleton crews on duty, there is little transaction of business between the departments of the State, because there is not enough staff or ready enough availability of records to permit such business to be carried on.

4. With the exceptions noted below, there is very little business with the general public in offices kept open on Saturday morning.

5. It is difficult to maintain skeleton crews made up of those who are familiar enough with all details of the work to render satisfactory service to those who do come to an office on Saturday morning. The result is that the people seeking assistance on Saturday morning must return at some other time of the week, anyway; and a generally unfavorable impression is left.

6 Operating skeleton crews creates management problems because of the necessity for arranging for compensating time off at another time in the week. This reduces efficiency throughout the week.

7. There would be savings, the exact amount of which are difficult to calculate, through the fact that staffs could be better organized on a straight 5-day week Morale would be higher, resulting in closer attention to duty.

8. The staff assisting this committee in its detailed study of the State Personnel Board, on which we reported at the last regular session of the Legislature, recommended that the board be authorized to close its office on Saturday, because of the obvious lack of any benefit in keeping the office open. The reasons for making that proposal at that time generally extend to all other departments.

9. There are obvious instances in which some offices would need to remain open. The Department of Agriculture has crop inspection activities which must be carried on at some times of the year without respect to time of day or week. The Department of Employment has a closely related problem of furnishing farm labor at certain seasons of the year. All law enforcement agencies and all institutions must obviously continue their work through all the days of the week. The State Department of Motor Vehicles, in its Division of Drivers' License Examining, has a particularly heavy demand on Saturday morning, and must therefore be permitted to remain open.

10. Any legislation permitting the closing of offices on Saturday must at the same time leave authority vested in someone to determine circumstances in which offices may remain open, and in any event such legislation should not prohibit the performance of work on days when the offices are not open.

Your committee recommends the following action:

1. That the appropriate laws be amended to permit offices to close on Saturday, provided that no office is closed where there will be substantial injury to public interests, and provided that the remaining schedule of each department is so maintained that the employees will be engaged for a minimum of 40 hours.

2. That departments wishing to keep offices open on Saturday morning do so only after a finding by the department head that such action is necessary to prevent serious impairment to the public interest, and after such finding has been approved by the Governor. Our purpose in proposing this approval by the Governor is simply to provide some degree of uniformity in the interpretation and application of this policy by the department heads. Not all departments of the State are directly subject to control by the Governor, but we believe that in this one instance of general public policy, the concurrence of the Governor will not constitute an interference with the independent agencies, and at the same time will insure uniformity of practice.

3. That in departments finding it necessary to keep offices open on Saturday, either with a skeleton crew or full crew, the department head make arrangements for providing compensating time off at other times of the week, preferably under arrangements by which the employees may take compensating time off in an equal amount of related time; that is to say, if employees must work three hours on Saturday morning they should be permitted three hours off at some other one time as true compensation for the inconvenience to them.

In conclusion, we wish to take special note of the serious problem of the Division of Drivers' License Examining in meeting an unusually heavy load each Saturday morning. The attitude expressed during the committee's hearings was that solving the scheduling problems of this division is the responsibility of the Legislature. In our opinion, it is entirely a matter of administrative discretion, and one with which the Legislature should not attempt to contend. Our only concern as a matter of public policy is, first, that in those cases where there is no gain in keeping offices open, they should be closed; second, that where the public would be greatly inconvenienced by closing the offices, they should remain open; third, that the State maintain a basic 40-hour week; and fourth, that compensating time off provided for employees who must work on Saturday be provided under as nearly compensating conditions as possible.

LICENSING OF PROFESSIONAL ENGINEERS

This study was undertaken pursuant to House Resolution No. 189, the full text of which is as follows:

"House Resolution No. 189

"Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study and investigate the laws and regulations relating to the registration of engineers, and the administration thereof

"WHEREAS, From time to time complaints have been received by Members of the Assembly relating to the administration of the laws governing registration of engineers; and

"WHEREAS, Many complaints allege that arbitrary discrimination is practiced by the State Board of Registration for Engineers in various matters, and particularly, that graduates of our own state universities and certain colleges and universities are not afforded the same credit for their educational achievements and degrees of engineering as are afforded graduates of other institutions; and

"WHEREAS, Further arbitrary exclusion of licensing many engineers whose scholastic standing is as high and whose degrees are at least equal and whose experience exceeds by many years the greatest conceivable requirement of those now in the profession hampers and handicaps the building and development program of the State; and

"WHEREAS, It is necessary that the Assembly be fully informed as to all facts relating to any phase of this subject, in order that it may determine what, if any, legislative action is needed; and

"WHEREAS, The ascertainment of such facts and the investigation of such subject falls within the scope of the powers and duties conferred and imposed upon the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

"*Resolved, by the Assembly of the State of California*, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee created at this session with similar powers and duties, is hereby requested to study and investigate all laws and regulations relating to the registration of engineers, the administration thereof by the State Board of Registration for Civil Engineers, and all other matters relating to or in any way bearing upon the recitals of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

"Resolution read, and adopted unanimously."

We find it true, as alleged in the resolution, that Members of this Legislature have received numerous complaints from those who have been unsuccessful in their efforts to become licensed professional engineers.

While these complaints generally allege that failure to get a license results from arbitrary and unreasonable standards set by the licensing board, we find this to be a matter of judgment in which there is room for honest differences of opinion.

One who seeks any advantage as valuable as a license to practice as an engineer will naturally have confidence in his own ability to qualify, and will naturally seek someone to blame when he fails to meet the requirements. Some of the complaints, therefore, must be dismissed as normal human reactions, which any of us would share under the same circumstances.

We find cases in which it is our own judgment that there appears to be a just cause for complaint. The committee does not care to cite such individual cases, however, for reasons which will appear below.

The only question, in the final analysis, is whether a situation exists which requires corrective legislation. In our judgment, no such condition exists.

The State has created many boards and bureaus for licensing and regulating the practice of a wide range of businesses and professions. It has been typical of all these agencies that their governing body is selected from among the business or profession being regulated, and that each business and profession in effect sets its own standards and practices.

We believe that in the cases of legitimate callings, it is entirely fitting and proper that those engaged in the field should be entrusted with the administration of laws to protect their own calling, and at the same time protect the public against low standards and malpractice.

If that is to be the means by which these businesses and professions are regulated, then it would not be fitting for the Legislature to attempt to substitute its judgment in individual cases for the judgment of those in charge.

Should any board or bureau ever so conduct its affairs that the public interest is endangered, or the practice of any calling is so restricted that it limits service to the public, then there may be occasion for a full review of the manner in which one or all of these regulatory bodies are administered.

The public has a deep concern for the proper regulation of the profession of engineering. Tremendous sums of money are invested in public and private buildings, the quality of which depends on sound engineering skill in their design and construction. Public safety is completely at the mercy of those who plan and build bridges and dams and highways and railroads and buildings.

This Legislature has on more than one occasion had to pass corrective legislation, imposing more rigid standards, after some tragic event has driven home once again the lesson that we cannot relax safety measures.

If, in holding to a high standard, the Board of Registration for Civil and Professional Engineers withholds its license from some few who

might be successful practitioners, but in doing so is doubly certain that engineering practice in California will be of the highest order, we believe the Legislature should not interfere.

We urge the board to introduce every possible safeguard against unfair discrimination in any case; but we feel this must be done by the board itself in the proper exercise of its administrative authority.

INSURED BUSINESS LOANS

Assembly Bill No. 126 in the 1950 First Extraordinary Session was "An act for the prevention or alleviation of unemployment by providing for stimulation of employment in private industry through a system of insured business loans; creating a state finance corporation, as the public agency to administer this act; prescribing its powers and duties; and making an appropriation."

The subject matter of this bill was referred to this committee for study and report.

It is the opinion of your committee that, while the fostering and development of employment opportunities in private industries by providing venture capital is an important objective, it is not a function which the State Government should undertake. The resources of private capital which are available, supplemented by those provided by the Federal Government are, in our judgment sufficient without creating the additional administrative organization and the additional financial responsibilities which would be involved in the State of California entering into such a venture.

World conditions being such as they are, we seriously doubt that there is any need at this time to provide machinery for encouraging employment, even if it were thought to be a proper function of State Government.

CONSTRUCTION OF A SCIENTIFIC AND TECHNICAL MUSEUM

Assembly Bill No. 92, introduced in the 1950 Extraordinary Session, proposed to create a scientific and technical museum in Exposition Park, Los Angeles; and proposed to appropriate $50,000 for the purpose.

The subject matter of the bill was referred to this committee for consideration.

The sponsors of this measure have not sought to present evidence to the committee to justify the proposal; and the committee sees no purpose in encouraging such construction at this time We oppose such a measure for the following reasons:

1. The State has many more critical needs for public works.
2. The sum proposed would not begin to provide an adequate museum. Any such museum would require additional funds to complete it, to provide its contents and to staff it.
3. In the face of current world conditions, critical materials and skilled labor cannot be justified for the purpose.

LOBBYING

In response to the requests of various citizens, officials and civic organizations, the members of the committee voted, at a public meeting of the committee held in Los Angeles on August 26, 1949, to undertake

an investigation of the authenticity of facts related and statements made in an article appearing in *Collier's* magazine and dealing with lobbying and the activities of one Arthur Samish.

Pursuant to this decision, a hearing was held in San Francisco on September 22, 1949. Mr. Samish was subpoenaed and appeared as a witness. In response to detailed questioning by counsel for the committee, Mr. Samish testified as to his clients and his methods of operation, and denied generally the bulk of the statements attributed to him in the *Collier* article. A further hearing was scheduled for November 9 and 10, 1949, in Los Angeles to proceed further in this matter, and Mr. Samish was instructed to be present at that time.

On or about November 3, 1949 articles appeared in the press to the effect that Governor Warren had requested the District Attorney of Sacramento County to commence a grand jury investigation of lobbying activities at the State Capitol, and that the District Attorney had inaugurated such investigation in compliance with the Governor's request. It was further reported that the District Attorney had expressed his intention to ask for indictments if the Grand Jury's investigation disclosed criminal conduct.

At the hearing in Los Angeles on November 3, 1949, (mentioned above) these developments were considered by the committee sitting with its special counsel and the Legislative Counsel. Mr. Eugene Williams, Special Counsel, and the Honorable Fred B. Wood, then Legislative Counsel, advised the committee that further hearings on this subject at that time might impede the work of the Sacramento Grand Jury and might confer immunity from criminal prosecution upon persons who might be involved in the grand jury's investigation.

Acting upon the advice of its counsel and the Honorable Fred B. Wood, Legislative Counsel, the committee voted to proceed no further with the matter until the findings of the Sacramento Grand Jury were made public. The committee feels that the recent case of *McLain* vs. *Superior* Court, 99 Cal. App. 2d 109, amply demonstrates the wisdom of that decision.

Shortly thereafter the Governor announced his intention of calling a special session to deal with, among other things, legislation relating to lobbying, and on December 7, 1949, the Governor's Proclamation so doing was issued.

The committee had caused the Legislative Counsel to compile and analyze the laws of all other states and of the Federal Government, relating to lobbying and the regulation thereof, and this compilation was made available to Members of the Assembly at the special session. A bill was introduced by a member of this committee, regulating lobbying, and was enacted at the special session. At the same session the Joint Committee on Lobby Regulation was created by Assembly Concurrent Resolution No. 12, (adopted December 20, 1949) and committees specifically authorized to investigate matters relating to this subject have been in existence ever since that date.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marce G. Tierney and Mrs. Sybil Gerlack of San Francisco and Mrs. Orville Pratt, III, of Sausalito.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Eleanor Bolton, teacher, Mrs. Leslie Feil, Mrs. Wallace E. Glyer, Mrs. Orr Stephens, and Mrs. L. A. Bertagna, adults, and the following pupils of the Crocker School: Robert Bertagna, Calvin Candland, Gary De Gregorio, Lance Feil, Robert Glyer, Donovan Jenks, Robert Lauer, Robert Mayne, David Picht, Michael Puente, Stephen Simmons, Ralph Springer, Earl Stephens, Lee Strong, Robert Sullivan, Chester Waterbury, Robert Murphy, Judith Bean, Beverly Brown, Catherine Cole, Harriet Cook, Joyce Cornelius, Wendy Davis, Mary Ann Gee, Norma Griffin, Nancy Moore, Carolyn Pollock, Marion Pollock, Sally Pope, Marcia Rester, Susan Ruddy, Patricia Tottem, Judith Waters, and Colleen Wylie.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Phyllis Baker of Sacramento.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Geo. D. Watters of Loyalton.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to L. M. Karp of San Diego.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to G. W. "Phil" Philpot of Fresno.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Judge Everett McKeage of San Francisco.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to H. Clay Robbins of Los Angeles.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to J. McComille of Los Angeles.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Vic Marrone and Mary Marrone of Pacoima.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to James L. Meyers of San Francisco.

On request of Mr. Dickey and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Abbott, Mr De Ford, adults, and the following pupils of the Oakland High School: Ann Abbott, Audrey Anderson, Bob Bills, Dave Bistirlie, Paul Brochini, Bill Jones, Mary Cadwell, Pat Callan, Tom Coulter, Edwin Denst, Don Drenth, Anne Firth, Caroline Frick, Sue Fuller, Michael Goldsmith, Jack Haley, Donna Hewitt, Bruce Horwitz, Sam Hutchins, Helene Johnson, Willard Johnson, Eileen Jones, Pat Kelly,

Rosa Lee McCracken, Sylvia Michaelis, Harry Murphy, Carolyn Nilsen, Stan Pitkin, Norma Price, Virginia Rucker, Pat Schnack, Rae Stallcup, Janet Stanley, Jay Lee Thompson, Alicia Turner, Doreen Webster, Eleanor Whitmore, Henry Wong, Bev Yin, Anna Babington, Carol Barrett, Phil Bluer, Ed Butler, Joyce Cosette, Richard DeLambert, Arlene Diamond, Helen Eddy, Darrell Edwards, Herb Ellenburg, Jan Emerson, Joyce Erickson, John Fitzsimmons, Geraldine Gray, Wally Gottesman, Rae Huffstutler, Gardiner McCauley, Cliff Meese, Chuck Miller, Sue Murphy, Rosalind Oliver, Deanna Porikos, Chuck Pusey, Don Renner, Judy Rigg, Bill Rohr, Bruce Rosemond, Jane Royce, Christie Scott, Pete Scott, June Shea, Paddy Stewart, Bill Stomberg, Jack Spencer, Lyn Thayer, Kay Thompson, Bev Wagler, Margie Walker, and Paula Wright.

On request of Messrs. Gaffney, Berry, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Sister Elizabeth, and Sister Marie Eucharista, teachers, and the following pupils of Notre Dame High School: Marie Ahern, Beverly Birmingham, Carol Blau, Jo Ann Capitolo, Joyce Chadwick, Mildred Colnar, Joyce Cody, Doris Ehm, Mary Eterovich, Patricia Farbstein, Diana Fisk, Marjorie Gillespie, Catherine Giorgi, Alice Guaraglia, Patricia Maudsley, Patricia Nagle, Marilyn O'Howell, Georgia Radzinski, Patricia Raines, Victoria San Nicolas, Joyce Sarina, Patricia Scanlan, Kathleen Scafidi, Alice Serrana, Nadine Stack, Jeanette Thatcher, Ampro Zuniga, Frances Silcox, Mary Haug, Mary Harrington, Violetta Herrera, Patricia Holleran, Barbara Julin, Lillian Jensen, Eleanor Kerner, Nancy King, Eileen La Belle, Margaret Laube, June Lopez, and Patricia McKenna.

ADJOURNMENT

At 3.33 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Thursday, June 7, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 7, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father Who Art in Heaven, Hallowed be Thy name.

We thank Thee for a night of rest to prepare us for the greeting of the morning light and the duties of a new day. We thank Thee for the blessings of health, the love of our families, and the joy of life. Prepare our hearts for the duties before us that we may be workmen who need never be ashamed.

Give thanks, O heart, for the high souls
That point us to the deathless goals—
For all the courage of their cry
That echoes down from sky to sky;
Thanksgiving for the armed seers,
And heroes called to mortal years—
Souls that have built our faith in man,
And lit the ages as they ran.

We pray in Jesus' blessed name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McGee, further reading of the Journal of the previous legislative day was dispensed with.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
ROOM 222, STATE CAPITOL, SACRAMENTO, June 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Capital News Service—Miss Sydney Rosen.

Sincerely,

EARL C. BEHRENS, President

ACTION RATIFIED

By unanimous consent, the above action, as taken by the Capitol Correspondents Association of California, was ratified by the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 89: By Mr. Waters—Relative to approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-ninth day of May, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 312
Assembly Bill No. 314
Assembly Bill No. 1563
Assembly Bill No. 2301
Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 312—An act to amend Section 2 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2", and insert "9".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "participation in metropolitan water districts by county waterworks districts", and insert "annexation, declaring the urgency thereof to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "2", and insert "9".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"Sec. 9 (a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9 and of Sections 9.1 and 9.2 of this act, the following definitions shall apply to the terms used therein: The terms "municipal water district," "municipal utility district," "public utility district," "county water district," and "county water authority," shall have the meanings respectively ascribed to said terms as set forth in paragraph (a) of said Section 2; the term "city" shall mean any city, and any city and county, of the State of California, whether organized under a freeholders' charter or under the provisions of general laws, but shall not have any of the other meanings ascribed to said term as set forth in said paragraph (a) of said Section 2; and the terms "municipal corporation" and "municipality" shall mean any municipal water district, any municipal utility district, any public utility district, any county water district, and any county water authority, but shall not mean any city or any city and county.

(b) Territory may be annexed to any metropolitan water district organized hereunder by one of the following methods.

(1) By annexation to, or consolidation with, the area of any city, the area of which, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding.

(2) By annexation to, or consolidation with, any city which, as a separate unit, shall have become a part of any municipality, the area of which municipality, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, in instances where, under the applicable provisions of law governing the change of boundaries of such municipality, such annexation or consolidation automatically will result in the enlargement of the area of such municipality, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such municipality and of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said municipality and of said metropolitan water district, including the payment of bonds and other obligations of such municipality and of such metropolitan water district at the time authorized or outstanding. If any such territory shall have been so annexed to, or consolidated with, any such city prior to the effective date of this subparagraph (2), under conditions which would have resulted in the enlargement of the area of such metropolitan water district had the foregoing provisions of this subparagraph

(2) then been in effect, upon compliance with the following provisions of this subparagraph (2), such territory shall be annexed to, and shall become and be a part of, such metropolitan water district, and shall be a part of such municipality for all purposes, the last-mentioned provisions being as follows:

(aa) The governing body of such city, at any time after the effective date of this subparagraph (2), may adopt an ordinance which, after reciting that such territory has been annexed to, or consolidated with, such city by proceedings theretofore taken under statutory authority, and after referring to the applicable statutes and to the date and place of filing of the certificate or certificates evidencing such annexation or consolidation, shall describe such territory and shall determine and declare that the said territory shall be, and thereby is, annexed to such metropolitan water district, and said ordinance shall further determine and declare that the said territory shall become and be, and thereby is, a part of such metropolitan water district, and shall be, and thereby is, a part of such municipality for all purposes.

(bb) The governing body, or clerk thereof, of such city shall file a certified copy of such ordinance with the Secretary of State of the State of California. Upon the filing of said certified copy of such ordinance in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and shall be a part of such municipality for all purposes, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district and of said municipality, including the payment of bonds and other obligations of such metropolitan water district and of such municipality at the time authorized or outstanding.

(cc) Upon the filing in his office of the aforesaid certified copy of such ordinance, the Secretary of State shall, within ten days, issue his certificate, describing such territory, reciting the filing of said certified copy of such ordinance in his office and the annexation of said territory to such metropolitan water district, and declaring that the said territory is a part of said metropolitan water district and of such municipality. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and a duplicate original of his said certificate to the clerk of the governing body of such municipality, and shall forward a certified copy of his said certificate to the county clerk of each county in which is situated such metropolitan water district or any part thereof.

Annexation to a metropolitan water district under the provisions of subdivisions (1) and (2) of this paragraph shall be subject to terms and conditions fixed by the board of directors of the metropolitan water district which may provide, among other things, for the levy by the district of special taxes upon taxable property within the area annexed to the city in addition to the taxes elsewhere in this act authorized to be levied by the metropolitan water district.

Prior to calling an election, or publishing notice thereof, for the submission of the proposition of annexation to a city which, as a separate unit, is a part of a metropolitan water district or which is a part of a municipality, the area of which municipality, as a separate unit, is a part of the metropolitan water district, the governing body of the city shall request the board of directors of the metropolitan water district concerned to fix the terms and conditions to which the area sought to be annexed would be subject by reason of the annexation. If the terms and conditions provide for the levy of special taxes, the board of directors of the metropolitan water district shall specify the amount to be raised through such taxes and the number of years prescribed for raising of the same and that substantially equal annual levies will be made for raising the amount specified over the period prescribed. The board of directors of the metropolitan water district shall fix the terms and conditions without delay.

Any terms and conditions fixed by the board of directors of a metropolitan water district in connection with proceedings to annex territory to a city shall be included in all election notices and upon holding the election, a vote in favor of the proposition to annex shall be deemed a vote in favor of accepting the terms and conditions fixed by a metropolitan water district.

Upon the annexation of any area to a city with respect to which terms and conditions have been fixed by the board of directors of a metropolitan water district, the board of directors of the metropolitan water district shall be empowered to do all things necessary to enforce and make effective these terms and conditions.

(3) Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph (c) hereof, by direct annexation, as a separate unit, of the corporate area of any municipality or city.

(4) Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph (d) hereof, by annexation to, or consolidation with, any municipality, the area of which, in whole or in part, is included within such metropolitan water district as a separate unit; provided, that unless such territory shall be so annexed to such metropolitan water district with the consent of such board of directors, the annexation of such territory to, or the

consolidation of such territory with, any such municipality shall not authorize or entitle such municipality or such territory to demand or receive any water from such metropolitan water district for use in such territory; and provided further, that, except where automatic annexation results under the conditions mentioned in subparagraph (2) of this paragraph (b), nothing in this act shall prevent the annexation of territory to, or the consolidation of territory with, any such municipality for its local purposes only and without annexing such territory to such metropolitan water district, and such local annexation or consolidation may occur without requesting or obtaining the consent thereto of the board of directors of such metropolitan water district.

(c) The governing body of any municipality or city may apply to the board of directors of such metropolitan water district for consent to annex the corporate area of such municipality or city to the metropolitan water district. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which the corporate area of such municipality or city may be annexed to and become a part of the metropolitan water district. Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such municipality or city in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality or city, and if such action shall grant consent to such annexation, such governing body may thereupon submit to the qualified electors of such municipality or city, at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least 10 days and in three public places in the municipality or city; when given by publication such notice shall be published once at least 10 days before the date fixed for the election in a newspaper of general circulation published in the municipality or city. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for elections in such municipality or city. If such proposition shall receive the affirmative vote of a majority of electors of such municipality or city voting thereon at such election, the governing body of such municipality or city shall certify the result of such election on said proposition to the board of directors of said district, together with a legal description of the boundaries of the corporate area of such municipality or city, accompanied by a map or plat indicating such boundaries. A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State. Upon the filing thereof in the office of the Secretary of State, the corporate area of such municipality or city shall become, and be, an integral part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within 10 days, issue his certificate, reciting the filing of said papers in his office and the annexation of the corporate area of such municipality or city to such metropolitan water district. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof.

(d) The governing body of any municipality, the area of which, in whole or in part, is included within such metropolitan water district as a separate unit, may apply to the board of directors of such metropolitan water district for consent to annex to such metropolitan water district territory which it is sought to annex to, or consolidate with, such municipality, or territory which, without making the same a part of such metropolitan water district, already has been annexed to, or consolidated with, such municipality. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which such territory may be annexed to, and become a part of, the metropolitan water district. Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such territory in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board

of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality, and if such action shall grant consent to such annexation, such territory may be annexed to such metropolitan water district as provided in subparagraph (1) or in subparagraph (2) hereof. Unless the board of directors of such metropolitan water district shall grant such consent, such territory cannot be annexed to, or consolidated with, such metropolitan water district.

(1) If such territory has not theretofore been annexed to, or consolidated with, such municipality, upon completion of such annexation to, or consolidation with, such municipality in compliance with the provisions of law applicable thereto, including this Section 9, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized; provided, that if the applicable provisions of law governing such annexation to, or consolidation with, such municipality shall require any notice of any election called for the purpose of determining whether such proposed annexation or consolidation shall occur, or shall require any notice of hearing or other notice to be given to the residents or electors of, or owners of property in, such territory, such notice shall contain the substance of the terms and conditions of annexation to such metropolitan water district fixed by the board of directors of such district as herein provided; and provided further, that the governing body of such municipality or other officer thereof having the duty of certifying the proceedings resulting in such annexation to, or consolidation with, such municipality, pursuant to the provisions of law applicable thereto, shall include in such certification a record of the proceedings by which such territory has been annexed to such metropolitan water district in accordance with the provisions hereof, and shall file a duplicate of such certificate with the board of directors of such metropolitan water district.

(2) If the territory sought to be annexed to such metropolitan water district theretofore has been annexed to, or consolidated with, such municipality, the governing body of such municipality, upon being advised of the action of the board of directors of such metropolitan water district, as above provided, and if such action shall grant consent to such annexation, may submit to the qualified electors of such territory, at any general or special election held therein, the proposition of such annexation to such metropolitan water district subject to the terms and conditions fixed by the board of directors of such metropolitan water district, as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least ten days and in three public places in such territory; when given by publication such notice shall be published once at least ten days before the date fixed for the election in a newspaper of general circulation published in such municipality. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed by the governing body of such municipality in the manner provided by law for elections in such municipality. If such proposition shall receive the affirmative vote of a majority of electors of such territory voting thereon at such election, the governing body of such municipality shall certify the result of such election on said proposition to the board of directors of said district. A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State. Upon the filing thereof in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation of such territory to such metropolitan water district fixed by said board of directors as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within ten days, issue his certificate, reciting the filing of said papers in his office and the annexation of such territory to such metropolitan water district. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof.

(e) The validity of any proceedings for the annexation to any district organized hereunder, of the corporate area of a municipality or city as a separate unit, or of territory annexed to, or consolidated with, a city under the conditions mentioned in

subparagraph (1) or subparagraph (2) of paragraph (b) of this Section 9, or of territory annexed to, or consolidated with, a municipality which, as a unit, shall have been included within such district, shall not be contested in any action unless such action shall have been brought within three months after the completion of such annexation, or, in case such annexation is completed prior to the time that this paragraph takes effect, then within three months after this paragraph shall have become effective.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The inhabitants of substantial portions of the State are in dire need of immediately obtaining an adequate supply of water for domestic and municipal use which can be obtained only from the Metropolitan Water District of Southern California, a district duly organized and existing under the Metropolitan Water District Act of this State, but arrangements for obtaining said water by said inhabitants are dependent upon the annexation to said the Metropolitan Water District of Southern California. This act is amendatory of the provisions relating to annexations to metropolitan water districts and is necessary to remove inequities between the terms under which areas added to cities become a part of a metropolitan water district and terms under which areas added to other municipalities become a part of the metropolitan water district."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 314—An act to amend Sections 2, 8.2, 9, and 9.4 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2, 8.2, 9, and 9.4", and insert "9, 9.1, and 9.2".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "participation in metropolitan water districts by county waterworks districts", and insert "annexation, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "2", and insert "9".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"Sec. 9. [(a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9 and of Sections 9.1 and 9.2 of this act, the following definitions shall apply to the terms used therein: The terms "municipal water district," "municipal utility district," "public utility district," "county water district," and "county water authority," shall have the meanings respectively ascribed to said terms as set forth in paragraph (a) of said Section 2; the term "city" shall mean any city, and any city and county, of the State of California, whether organized under a freeholders' charter or under the provisions of

general laws, but shall not have any of the other meanings ascribed to said term as set forth in said paragraph (a) of said Section 2, and the terms "municipal corporation" and "municipality" shall mean any municipal water district, any municipal utility district, any public utility district, any county water district, and any county water authority, but shall not mean any city or any city and county.]

[(b)] *(a)* Territory may be annexed to any metropolitan water district organized hereunder by one of the following methods

[(1) By annexation to, or consolidation with, the area of any city, the area of which, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding.]

[(2) By annexation to, or consolidation with, any city which, as a separate unit, shall have become a part of any municipality, the area of which municipality, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, in instances where, under the applicable provisions of law governing the change of boundaries of such municipality, such annexation or consolidation automatically will result in the enlargement of the area of such municipality, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such municipality and of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said municipality and of said metropolitan water district, including the payment of bonds and other obligations of such municipality and of such metropolitan water district at the time authorized or outstanding. If any such territory shall have been so annexed to, or consolidated with, any such city prior to the effective date of this subparagraph (2), under conditions which would have resulted in the enlargement of the area of such metropolitan water district had the foregoing provisions of this subparagraph (2) then been in effect, upon compliance with the following provisions of this subparagraph (2), such territory shall be annexed to, and shall become and be a part of, such metropolitan water district, and shall be a part of such municipality for all purposes, the last-mentioned provisions being as follows:]

[(aa) The governing body of such city, at any time after the effective date of this subparagraph (2), may adopt an ordinance which, after reciting that such territory has been annexed to, or consolidated with, such city by proceedings theretofore taken under statutory authority, and after referring to the applicable statutes and to the date and place of filing of the certificate or certificates evidencing such annexation or consolidation, shall describe such territory and shall determine and declare that the said territory shall be, and thereby is, annexed to such metropolitan water district, and said ordinance shall further determine and declare that the said territory shall become and be, and thereby is, a part of such metropolitan water district, and shall be, and thereby is, a part of such municipality for all purposes.]

[(bb) The governing body, or clerk thereof, of such city shall file a certified copy of such ordinance with the Secretary of State of the State of California. Upon the filing of said certified copy of such ordinance in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and shall be a part of such municipality for all purposes, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district and of said municipality, including the payment of bonds and other obligations of such metropolitan water district and of such municipality at the time authorized or outstanding.]

[(cc) Upon the filing in his office of the aforesaid certified copy of such ordinance, the Secretary of State shall, within ten days, issue his certificate, describing such territory, reciting the filing of said certified copy of such ordinance in his office and the annexation of said territory to such metropolitan water district, and declaring that the said territory is a part of said metropolitan water district and of such municipality The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and a duplicate original of his said certificate to the clerk of the governing body of such municipality, and shall forward a certified copy of his said certificate to the county clerk of each county in which is situated such metropolitan water district or any part thereof.]

[(3)] *(1)* Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph [(c)] *(b)* hereof,

by direct annexation, as a separate unit, of the corporate area of any municipality [or city]

[(4)] *(2)* Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph [(d)] *(c)* hereof, by annexation to, or consolidation with, any municipality, the area of which, in whole or in part, is included within such metropolitan water district as a separate unit; provided, that unless such territory shall be so annexed to such metropolitan water district with the consent of such board of directors, the annexation of such territory to, or the consolidation of such territory with, any such municipality shall not authorize or entitle such municipality or such territory to demand or receive any water from such metropolitan water district for use in such territory, and provided further, that [, except where automatic annexation results under the conditions mentioned in subparagraph (2) of this paragraph (b),] nothing in this act shall prevent the annexation of territory to, or the consolidation of territory with, any such municipality for its local purposes only and without annexing such territory to such metropolitan water district, and such local annexation or consolidation may occur without requesting or obtaining the consent thereto of the board of directors of such metropolitan water district

[(c)] *(b)* The governing body of any municipality [or city] may apply to the board of directors of such metropolitan water district for consent to annex the corporate area of such municipality [or city] to the metropolitan water district The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which the corporate area of such municipality [or city] may be annexed to and become a part of the metropolitan water district Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such municipality [or city] in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality [or city], and if such action shall grant consent to such annexation, such governing body may thereupon submit to the qualified electors of such municipality [or city], at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least 10 days and in three public places in the municipality [or city]; when given by publication such notice shall be published once at least ten days before the date fixed for the election in a newspaper of general circulation published in the municipality [or city] Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided Such election shall be conducted and the returns thereof canvassed in the manner provided by law for elections in such municipality [or city]. If such proposition shall receive the affirmative vote of a majority of electors of such municipality [or city] voting thereon at such election, the governing body of such municipality [or city] shall certify the result of such election on said proposition to the board of directors of said district, together with a legal description of the boundaries of the corporate area of such municipality [or city], accompanied by a map or plat indicating such boundaries A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State Upon the filing thereof in the office of the Secretary of State, the corporate area of such municipality [or city] shall become, and be, an integral part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within ten days, issue his certificate, reciting the filing of said papers in his office and the annexation of the corporate area of such municipality [or city] to such metropolitan water district The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof

[(d)] *(c)* The governing body of any municipality, the area of which in whole or in part, is included within such metropolitan water district as a separate unit, may apply to the board of directors of such metropolitan water district for consent to annex to such metropolitan water district territory which it is sought to annex to, or consolidate with, such municipality, or territory which, without making the same a part of such metropolitan water district, already has been annexed to, or consolidated with, such municipality The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which such

territory may be annexed to, and become a part of, the metropolitan water district. Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such territory in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality, and if such action shall grant consent to such annexation, such territory may be annexed to such metropolitan water district as provided in subparagraph (1) or in subparagraph (2) hereof. Unless the board of directors of such metropolitan water district shall grant such consent, such territory cannot be annexed to, or consolidated with, such metropolitan water district.

(1) If such territory has not theretofore been annexed to, or consolidated with, such municipality, upon completion of such annexation to, or consolidation with, such municipality in compliance with the provisions of law applicable thereto, including this Section 9, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized; provided, that if the applicable provisions of law governing such annexation to, or consolidation with, such municipality shall require any notice or any election called for the purpose of determining whether such proposed annexation or consolidation shall occur, or shall require any notice of hearing or other notice to be given to the residents or electors of, or owners of property in, such territory, such notice shall contain the substance of the terms and conditions of annexation to such metropolitan water district fixed by the board of directors of such district as herein provided; and provided further, that the governing body of such municipality or other officer thereof having the duty of certifying the proceedings resulting in such annexation to, or consolidation with, such municipality, pursuant to the provisions of law applicable thereto, shall include in such certification a record of the proceedings by which such territory has been annexed to such metropolitan water district in accordance with the provisions hereof, and shall file a duplicate of such certificate with the board of directors of such metropolitan water district.

(2) If the territory sought to be annexed to such metropolitan water district theretofore has been annexed to, or consolidated with, such municipality, the governing body of such municipality, upon being advised of the action of the board of directors of such metropolitan water district, as above provided, and if such action shall grant consent to such annexation, may submit to the qualified electors of such territory, at any general or special election held therein, the proposition of such annexation to such metropolitan water district subject to the terms and conditions fixed by the board of directors of such metropolitan water district, as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least ten days and in three public places in such territory; when given by publication such notice shall be published once at least ten days before the date fixed for the election in a newspaper of general circulation published in such municipality. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed by the governing body of such municipality in the manner provided by law for elections in such municipality. If such proposition shall receive the affirmative vote of a majority of electors of such territory voting thereon at such election, the governing body of such municipality shall certify the result of such election on said proposition to the board of directors of said district. A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State. Upon the filing thereof in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation of such territory to such metropolitan water district fixed by said board of directors as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within 10 days, issue his certificate, reciting the filing of said papers in his office and the annexation of such territory to such metropolitan water district. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof.

[(e)] *(d)* The validity of any proceedings for the annexation to any district organized hereunder, of the corporate area of a municipality [or city] as a separate unit, [or of territory annexed to, or consolidated with, a city under the conditions mentioned in subparagraph (1) or subparagraph (2) of paragraph (b) of this Section 9,] or of territory annexed to, or consolidated with, a municipality which, as a unit, shall have been included within such district, shall not be contested in any action unless such action shall have been brought within three months after the completion of such annexation, or, in case such annexation is completed prior to the time that this paragraph takes effect, then within three months after this paragraph shall have become effective.

SEC. 2. Section 9.1 of said act is amended to read:

Sec. 9.1. [(a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9.1 the definitions contained in paragraph (a) of Section 9 of this act shall apply to the terms used in this Section 9.1.]

[(b)] Whenever the corporate area of a municipality [or city] is annexed to a metropolitan water district as a separate unit, or whenever territory annexed to, or consolidated with, a municipality, the area of which is included within a metropolitan water district as a separate unit, is annexed to such metropolitan water district, [or whenever territory is annexed to, or consolidated with, a city under the conditions mentioned in subparagraph (1) or subparagraph (2) of paragraph (b) of Section 9 of this act, or whenever territory previously annexed to any city is annexed to such metropolitan water district under the conditions mentioned in said subparagraph (2) of paragraph (b) of Section 9 of this act,] the secretary of such metropolitan water district shall file, with the county assessor of each county within which such metropolitan water district or any part thereof shall lie and with the State Board of Equalization a statement of the change of boundaries of such metropolitan water district, setting forth the corporate names of the municipalities [and cities], the corporate areas of which, in whole or in part, are included within such metropolitan water district as separate units, and with respect to any such municipality, the corporate area of which, in part only, is included within such metropolitan water district as a separate unit, such statement shall indicate the part of such municipality that is so included within such district, which statement also shall contain a legal description of the boundaries of such annexed municipality [or city] or territory, as the case may be, unless a statement and map or plat indicating the boundaries of such last mentioned municipality [or city] or territory theretofore shall have been filed with the county assessor of each county within which such municipality [or city] or territory or any part thereof shall lie and with the State Board of Equalization, pursuant to [Section 3720 of the Political Code] *Sections 54900 to 54904, inclusive, of the Government Code* or other applicable provisions of law. Such statement so filed by the secretary of such metropolitan water district shall be accompanied by a map or plat indicating the boundaries of such metropolitan water district as so changed. If such statement and map or plat be so filed on or before the first day of February, but subsequent to the thirtieth day of June next preceding, all taxable property within the corporate area of such municipality [or city] or such territory so annexed, as the case may be, shall be subject to taxation by such metropolitan water district for the purposes in Section 9 and elsewhere in this act provided, commencing with the fiscal year beginning on July 1st next ensuing. If such statement and map or plat be so filed subsequent to February 1st, but before July 1st, all taxable property within the corporate area of such municipality [or city] or such territory so annexed shall be subject to such taxation by such metropolitan water district commencing with the fiscal year beginning on the first day of July in the calendar year next succeeding the calendar year in which the statement and map or plat are so filed by the secretary of such metropolitan water district.

SEC. 3. Section 9.2 of said act is amended to read:

Sec. 9.2. [(a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9.2 the definitions contained in paragraph (a) of Section 9 of this act shall apply to the terms used in this Section 9.2.]

[(b)] Whenever territory is annexed to, or consolidated with, any municipality, the corporate area of which, as a unit, shall have become a part of any metropolitan water district organized hereunder, irrespective of whether such territory is annexed to, and becomes a part of, such metropolitan water district, [or whenever territory is annexed to any city, under the conditions mentioned in subparagraph (1) or subparagraph (2) of paragraph (b) of Section 9 of this act, or whenever territory previously annexed to any city is annexed to such metropolitan water district under the conditions mentioned in said subparagraph (2) of paragraph (b) of Section 9 of this act,] the governing or legislative body, or clerk thereof, of such municipality [or city] shall file with the board of directors of such metropolitan water district a statement of the change of boundaries of such municipality [or city], setting forth the legal description of the boundaries of such municipality [or city], as so changed, and of the part thereof within such metropolitan water district, which statement shall be accompanied by a map or plat indicating such boundaries.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows.

The inhabitants of substantial portions of the State are in dire need of immediately obtaining an adequate supply of water for domestic and municipal use which can be obtained only from the Metropolitan Water District of Southern California, a district duly organized and existing under the Metropolitan Water District Act of this State, but arrangements for obtaining said water by said inhabitants are dependent upon the annexation to said the Metropolitan Water District of Southern California. This act is amendatory of the provisions relating to annexations to metropolitan water districts and is necessary to remove inequities between the terms under which areas added to cities become a part of a metropolitan water district and terms under which areas added to other municipalities become a part of the metropolitan water district."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out pages 2 to 14, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1563—An act to provide for the installation of grade separation crossings in the County of Los Angeles, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "ings", and insert "ing".

Amendment No. 2

On page 1, line 2, of said bill, after "that", insert "a"

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert "ing be constructed in the County of Los Angeles at the crossing of Los Feliz Boulevard and the".

Amendment No. 4

On page 1, line 6, of said bill, strike out "crossings", and insert "crossing".

Amendment No. 5

On page 1 of said bill, strike out line 11, and insert "and the Southern Pacific Company".

Amendment No. 6

On page 1, line 13, of said bill, in the first blank, insert "six hundred thousand", and, in the second blank, insert "600,000".

Amendment No. 7

On page 1, lines 14 and 15, of said bill, strike out "proportionate".

Amendment No. 8

On page 1, line 16, of said bill, strike out "crossings", and insert "crossing".

Amendment No. 9

On page 1 of said bill, after line 16, insert

"SEC 4 The department may perform all or any portion of said work by contract or the department and any party ordered by the Public Utilities Commission to participate in the financing may enter into a contract whereby all or any portion of such work may be performed by any party to such contract."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2301—An act to amend Section 28037 of the Government Code, relating to the classification of counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1, of the title of the printed bill, strike out "Section 28037", and insert "Sections 28116 and 28128".

Amendment No. 2

In line 2 of the title of said bill, strike out "the classification of counties", and insert "compensation for public services".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 28116 of the Government Code is amended to read:

28116. In a county of the sixteenth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The county auditor, [five thousand seven hundred dollars ($5,700)] *six thousand dollars ($6,000)* a year. [If he serves as and performs the duties of the county purchasing agent, he shall receive as full compensation for such services eight hundred fifty-five dollars ($855) a year.]

(b) The district attorney, [five thousand seven hundred dollars ($5,700)] *eight thousand dollars ($8,000)* a year.

(c) Each supervisor, [one thousand two hundred dollars ($1,200)] *three thousand dollars ($3,000)* a year [, and four hundred fifty dollars ($450) a year, for his duties as road commissioner] He shall be allowed mileage at the rate of seven cents ($0.07) a mile in going from his residence to the county seat and returning at each session of the board. If necessary official business requires any supervisor to travel beyond the boundaries of the county, he shall receive actual necessary traveling expenses incurred therefor. No other mileage or remuneration and no other traveling expenses shall be allowed.

(d) Grand jurors and trial jurors in the superior court shall receive for each day's attendance three dollars ($3), and for every mile actually traveled in attending court as such jurors, in going only, fourteen cents ($0.14).

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. Section 28128 of said code is amended to read:

28128. In a county of the twenty-eighth class the following shall receive as compensation for the services required by them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand eight hundred dollars ($4,800)] *five thousand four hundred dollars ($5,400)* a year.

(b) The district attorney, seven thousand [two hundred dollars ($7,200)] *eight hundred dollars ($7,800)* a year. He shall devote his entire time during office hours to the work of the county and State and is prohibited from engaging in private work within office hours. This does not preclude him from continuing or concluding any private matter in which he appeared of record prior to taking office.

(c) Each supervisor, for all services required of him as supervisor and as road commissioner, [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year and his actual expenses necessarily incurred in the performance of county business within the county, not to exceed six cents ($0.06) a mile, and actual expenses incurred doing county business outside of the county on order of the board of supervisors. He shall also be allowed six cents ($0.06) a mile going to and from his residence to the courthouse to attend regular and special meetings of the board. In lieu of mileage allowed as a member of the board of supervisors, the chairman of the board shall be supplied by the county with an automobile for use in performance of official duties, and all expense for fuel, oil, supplies, upkeep, and maintenance of such automobile shall be paid from county funds.

(d) Grand jurors and trial jurors in the superior court shall receive three dollars ($3) for each day's attendance. In justices' courts in civil cases the jurors sworn to try the cases shall receive two dollars ($2) for each day's attendance. All jurors shall

receive fifteen cents ($0.15) for each mile actually and necessarily traveled from their residences to the place of service. In the justices' courts mileage shall be allowed only to those sworn to try the case.

The compensation provided by this section shall be payable to incumbent officers."

Amendment No. 4

On page 2, line 12, of said bill, strike out "2", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3112—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the performance of certain functions relating thereto by public officers; providing for contracts with cities, counties and other public agencies; and relating to transportation in metropolitan areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "incorporation and government of", and insert "creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein."

Amendment No. 2

Strike out lines 2 to 6, inclusive, of the title of said bill.

Amendment No. 3

On page 1 of said bill, strike out line 1 and insert

"CHAPTER 1. POLICY; TITLE OF ACT

Section 1.1. It is hereby declared to be the policy of the State of California to develop interurban rapid transit systems in the various metropolitan areas within the State for the benefit of the people. A necessity exists in Los Angeles County for such a system. Because of the numerous separate municipal corporations and unincorporated populated areas in Los Angeles County, the areas within all of which are necessary and integral parts of such a system, only a specially created district comprising all of Los Angeles County can operate freely in said county in, through and between said various municipal corporations and unincorporated populated areas. Because of the unique problem presented by Los Angeles County, no general law can be made applicable to the carrying out of the objects and purposes of this act, and the facts and circumstances relative to the establishment of an interurban rapid transit system in said county require the adoption of a special act and the creation of a special authority; and it is, accordingly, necessary to enact this legislation applicable solely to said county to provide the necessary interurban rapid transit system in said county.

Sec. 1.2. This act shall be known and cited as the "Los Angeles Metropolitan Transit Authority Act."

CHAPTER 2. DEFINITIONS

Sec. 2.1. When the terms defined in this chapter are used in this act, they have the meanings ascribed to them in this chapter unless the context of this act expressly provides to the contrary.

Sec. 2.2. "Authority" means the Los Angeles Metropolitan Transit Authority created by this act.

Sec. 2.3. "Bonds" means the written evidence of any obligation incurred by the authority payable out of revenues as provided in this act in order to secure funds with which to carry out the purposes of this act irrespective of the form of such obligations, whether in the form of bonds, notes, debentures, interest-bearing certificates or other forms prescribed by the authority.

Sec. 2.4. "Indenture" means an agreement entered into by the authority pursuant to which revenue bonds are issued, regardless of whether such agreement is expressed in the form of a resolution of the authority or by other instrument.

Sec. 2.5. The term "bondholder" or "holder of bonds" or any similar term means any person who shall be the bearer of any outstanding revenue bond or bonds, registered to bearer, or not registered, or the registered owner of any such outstanding revenue bond or bonds which shall at the time be registered other than to bearer.

Sec. 2.6. "County" means Los Angeles County, State of California, the boundaries of which are established by Section 23119 of the Government Code of the State of California

Sec. 2.7. "Rapid transit" means transportation of passengers, mail and hand baggage in, through or between any two or more municipal corporations or unincorporated populated areas or municipal corporations and unincorporated populated areas of the county, by means of rail, monorail or other similar means, including street railways, elevated railways, subways, underground railways and bus lines, or any combination thereof

Sec 2.8 "System" means all real and personal property, licenses, franchises, patents, rights and interests owned or held or to be owned or held by the authority for rapid transit, including, without limiting the generality of the foregoing, all rights of way, rail lines, bus lines, stations, platforms, terminals, structures and facilities (including parking lots) necessary or convenient for access of persons and vehicles to stations or terminals, switches, yards, control houses, cars, buses, signals, electrical systems, substations and power lines and facilities.

Sec. 2.9. "Revenues" means all rates, fares, tolls, rentals or other income and revenue actually received or receivable by or for the account of the authority from the operation of the system, including, without limiting the generality of the foregoing, interest allowed on any moneys or securities and any profits derived from the sale of any securities and any consideration in any way derived from any properties owned, operated or at any time maintained by the authority.

Sec 2.10. "Governor" means the Governor of the State of California.

Sec. 2.11. The term "person" as used in this act includes any individual, firm, copartnership, association, corporation, trust, business trust or receiver or trustee or conservator for any thereof, but does not include this State or any public corporation, as defined in this act.

Sec. 2.12. The term "public corporation" as used in this act means any county, city and county, city, town, municipal corporation, district of any kind or class, or political subdivision of this State, and also any agency or authority of this State.

Sec. 2.13 As used in this act:

(a) The present tense includes the past and future tenses; and the future, the present.

(b) The masculine gender includes the feminine and neuter

(c) The singular number includes the plural, and the plural the singular.

(d) "Shall" is mandatory and "may" is permissive

CHAPTER 3. CREATION AND ORGANIZATION OF AUTHORITY

Sec. 3.1. There is hereby created the "Los Angeles Metropolitan Transit Authority."

Sec. 3.2. The authority is a public agency and public corporation of the State of California.

Sec 3.3. The powers and activities of the authority are limited to the county The territorial limits of the authority shall not be diminished or decreased so long as any bonds issued under this act are outstanding and unpaid.

Sec. 3.4. The authority is composed of seven members, all of whom shall be appointed by the Governor. The terms of four of the initial members of the authority, as designated by the Governor, shall expire two years from the date of their appointment The remaining three initial members of the authority shall be appointed by the Governor to serve for a full term of four years from the date of their appointment The successors of the members of the authority initially appointed shall be appointed to serve for a full term of four years. Any member appointed to serve in lieu of any member on account of death, resignation, or disability of such member shall serve only for the unexpired term of such member. Each member of the authority shall hold office for the term for which he was appointed and until his successor has been appointed and qualified. The initial members of the authority shall be appointed by the Governor within sixty (60) days after the effective date of this act

Sec. 3.5. Each member of the authority shall be, and shall hold office only so long as he is, a resident of and registered voter in the county Each member of the authority shall be paid the sum of twenty dollars ($20) for each meeting attended, but not to exceed one hundred dollars ($100) in any calendar month, and shall be reimbursed for actual necessary traveling and other expenses incurred by him in the performance of his duties, payable exclusively out of the funds of the authority available therefor. No member of the authority shall be allowed any other fees, perquisites or emoluments, reward or compensation for his services as a member of the authority.

Sec. 3.6 The authority shall appoint a chairman, who shall be a member of the authority, and shall also appoint a secretary and a treasurer. The secretary may be a member of the authority The treasurer shall not be a member of the authority and shall not be engaged in any other business or employment during his tenure of office. The authority may appoint a general manager, who may be a member of the authority, and who shall be a man of recognized ability and experience, to hold office during the pleasure of the authority The general manager shall have management of the properties and business of the authority and the employees thereof, subject to the general control of the authority, shall direct the enforcement of all ordinances, resolutions, rules and regulations of the authority, and shall perform such other duties as may be prescribed from time to time by the authority The authority may appoint a general attorney and a chief engineer, and shall provide for the appointment of other officers, attorneys, engineers, consultants, agents and employees as may be necessary for the construction, extension, operation, maintenance, and policing of the system It shall define their duties and require bonds of such of them as the authority may designate. The compensation of the general manager, general attorney, chief engineer, and all other officers, attorneys, consultants, agents and employees shall be fixed by the authority, and such compensation shall be paid out of funds of the authority available for that purpose The authority may employ a fiscal agent or adviser and may retain the services of such agents as may be deemed advisable to assist in the sale and distribution of the authority's bonds or the underwriting thereof

Sec. 3 7 The treasurer shall execute a bond with corporate sureties to be approved by the authority. The bond shall be payable to the authority in whatever penal sum may be directed by the authority conditioned upon the faithful performance of the duties of the office and the payment of all money received by him according to law and the orders of the authority. The authority may, at any time, require a new bond from the treasurer in such penal sum as may then be determined by the authority The obligation of the sureties shall not extend to any loss sustained by the insolvency, failure or closing of any national or state bank wherein the treasurer has deposited funds if the bank has been approved by the authority as a depositary for such funds All funds deposited by the treasurer in any bank shall be placed in the name of the authority and shall be withdrawn or paid out only by check or draft upon the bank, signed by the treasurer and countersigned by the chairman or general manager of the authority. The authority may designate any of its members or any officer or employee of the authority to affix the signature of the chairman and another to affix the signature of the treasurer to any check or draft for payment of salaries or wages and for the payment of any other obligation of not more than two thousand five hundred dollars ($2,500). In case any officer whose signature appears upon any check ceases to hold his office before the delivery thereof to the payee, his signature nevertheless shall be valid and sufficient for all purposes with the same effect as if he had remained in office until delivery thereof.

Sec 3.8. The authority may deal with and enter into written contracts with the employees of the authority through accredited representatives of such employees or representatives of any labor organization authorized to act for such employees, concerning wages, salaries, hours and working conditions; provided, nothing herein shall be construed to permit hours of labor in excess of those provided by law or to permit working conditions prohibited by law. In case of dispute over wages, salaries, hours or working conditions, the authority may arbitrate any question or questions and may agree with such accredited representatives or labor organization that the decision of a majority of any arbitration board shall be final, provided each party shall agree in advance to pay half of the expenses of such arbitration.

Sec 3 9. A majority of the members of the authority constitute a quorum for the transaction of business and may act for the authority.

Sec. 3 10. The authority may act at any regular meeting or special meeting called pursuant to such rules and regulations as the authority may adopt and may act without a meeting by an instrument in writing signed by all members of the authority. The authority may adopt such rules and regulations as it deems advisable with respect to the conduct of its own affairs.

Sec. 3 11 The authority shall maintain an office in the City of Los Angeles, Los Angeles County, State of California.

Sec 3 12 The authority may adopt a seal to be impressed upon its instruments, and may provide for the impression of such seal by printed, or lithographed facsimile thereof Any executed instrument bearing the seal of the authority shall be prima facie evidence of its execution by the authority and that its execution was duly, regularly and legally authorized by the authority

CHAPTER 4. GENERAL POWERS

Sec. 4.1. The authority has perpetual succession.

Sec. 4 2. The authority may sue and be sued in all courts of competent jurisdiction.

Sec 4 3. The authority may acquire by grant, purchase, gift, devise or lease, and may hold, use, sell, lease or dispose of, any real and personal property, licenses,

franchises, patents, rights and interests necessary for the full exercise, or convenient or useful for the carrying on of, any of its powers pursuant to the provisions of this act.

Sec. 4.4. The authority shall have power to acquire, construct, complete, develop, own, operate and maintain the system in the county; including power to acquire by purchase, lease, gift or otherwise all or any part of any patents, licenses, rights, interests, engineering studies, data or reports owned or held by any person and determined by the authority to be necessary, convenient or useful to the authority in connection with the acquisition, construction, completion, development, ownership, operation or maintenance of the system.

Sec. 4.5. The authority shall have power to enter into agreements for the joint use of any property and rights by the authority and any public utility operating any transportation facilities; to enter into agreements with any public utility operating any transportation facilities either within or without the county for the joint use of any property of the authority or public utility, or the establishment of through routes, joint fares and transfer of passengers.

Sec. 4.6. The authority may exercise the right of eminent domain for the condemnation of real property or any right or interest therein for its use within the county, including the power to acquire real property in fee simple or any lesser estate or interest for rights of way or other uses of the authority, whether or not devoted to public use, provided, however, that any private property already appropriated to public use, which use is available to the authority from an established private utility under the rules and regulations of the California Public Utilities Commission, shall not be subject to condemnation hereunder; provided, further, that with respect to the whole or any part of the real property of any public utility, as defined in the Public Utilities Act, necessary or useful in the performance of its duties to the public, the power granted by this Section 4.6 to the authority to exercise the right of eminent domain shall be subject to the plenary jurisdiction of the Public Utilities Commission or the Interstate Commerce Commission, as the case may be.

Whenever the authority shall determine to exercise the right of eminent domain, it shall first adopt a resolution declaring that the public interest and necessity require the acquisition of any described real property or right or interest therein. Such resolution shall be conclusive evidence

(a) Of the public necessity of such acquisition;

(b) That such property, rights or interests are, and that the acquisition of the fee or other interest therein is, necessary therefor; and

(c) That such proposed acquisition is planned or located in a manner which will be most compatible for the greatest public good and the least private injury

Sec. 4.7 Subject to the limitations hereinabove set forth in Section 4.6, in eminent domain proceedings to acquire property for any of the purposes of this act any real property, or rights or interest therein, within the county appropriated or dedicated to a public use or purpose by any person, private, public or municipal corporation, the county, any city, district or any political subdivision of the state, may be condemned and taken; and the acquisition and use thereof as provided in this chapter for the same public use or purpose to which such property has been appropriated or dedicated or for any other public use or purpose shall be deemed a superior and permanent right and necessity and a more necessary use and purpose than the public use or purpose to which such property has already been appropriated or dedicated It shall not be necessary in any eminent domain proceedings under this act to plead or prove any acts or proceedings preliminary or prior to the adoption of the resolution of public interest and necessity describing the property sought to be taken and directing such eminent domain proceedings

Sec. 4.8 The authority shall have power to construct, operate and maintain the system in, under, upon, over, across or along any public street, highway, or waterway under agreement with the United States of America or the State of California, the county or the governing body of the municipal corporation which has jurisdiction over such street, highway or waterway, and in, under, upon, over or across any vacant public lands which are or may become the property of the United States of America, the State of California, the county or any public corporation in the county by agreement with the United States of America, the State, the county or such public corporation. In the event the use by the authority of any existing public street or highway necessitates changes therein or expenditures, the cost thereof shall be borne by the authority The authority is entitled to the benefit of any reservation or grant, in all cases, where any right has been reserved or granted to the State or any agency or political subdivision thereof or any public corporation to construct or maintain roads, highways or other crossings over any public or private lands

Sec. 4.9. The authority may fix rates, fares, tolls, charges, rents or other charges for the use of the system acquired, constructed, operated or maintained by the authority and may alter, change or modify the same at its pleasure, subject to any contractual obligation which may be entered into by the authority with respect to the fixing of such rates, fares, tolls, charges and rents

Sec. 4.10 The authority may enter into covenants to maintain minimum rates, fares or charges, or rates, fares or charges sufficient to service the outstanding obligations of the authority, if any. It may also enter into covenants to increase rates, fares

or charges from time to time as may be necessary pursuant to any such contract or agreement with the holders of any obligations of the authority.

Sec. 4.11. The authority may contract with any department or agency of the United States of America or of the State of California or with any public corporation upon such terms and conditions as the authority finds is for the authority's best interests.

Sec. 4.12. The authority may make contracts, leases and agreements with any person or public corporation and may generally perform all acts necessary for the full exercise of the powers vested in it.

Sec. 4.13. The authority may sell, lease, convey or otherwise dispose of any of its rights, interests or properties after the purposes for which they were acquired have been fully satisfied. It may sell, lease or otherwise dispose of, at any time, any surplus materials or other property not needed for its requirements or for the purpose of carrying out this act.

Sec. 4.14. The authority shall have power to apply for and accept grants and loans from the Federal Government or any agency or instrumentality thereof to be used for any of the purposes of the authority and to enter into any agreement with the Federal Government in relation to such grants or loans; provided that such agreement does not conflict with any of the provisions of any resolution securing the payment of bonds of the authority.

Sec. 4.15. The authority shall by resolution make all rules and regulations governing the use, operation and maintenance of the system and shall determine all routings and change the same whenever it is deemed advisable by the authority, subject to the provisions of all ordinances granting franchises to the authority.

Sec. 4.16. The authority shall have power to lease the system or any part thereof to, or contract for the use of the system or any part thereof by, any operator, and to provide for subleases by any such operator upon such terms and conditions as the authority deems in the public interest.

Sec. 4.17. The authority shall have power to deposit any moneys of the authority, in accordance with the provisions of the general laws of the State of California governing the deposit of public moneys of counties, in such bank or banks in the State of California as may be authorized to receive deposits of public funds, in the same manner and upon the same security as public moneys of counties are deposited in such banks and with like force and effect, and to invest any moneys in any sinking fund or reserve fund created by any indenture or any surplus in the treasury of the authority not required for its immediate needs, in accordance with the general laws of the State of California relating to investments of county funds.

Sec. 4.18. The authority shall not have power to levy taxes for any purpose whatsoever.

Sec. 4.19. The authority may adopt such rules and regulations as may be necessary to enable it to exercise the powers and perform the duties conferred or imposed upon it by this act.

CHAPTER 5. REVENUE BONDS

Sec. 5.1. The authority may issue revenue bonds for the acquisition, construction or completion of the system or any part thereof. The total amount of revenue bonds that may be issued by the authority shall not be limited as to aggregate principal amount, except as the authority may provide in any resolutions relating to the issue of any revenue bonds hereunder.

Sec. 5.2. The purpose, nature and extent of each separate improvement comprising a part of the system shall be described in general terms prior to the issuance of any bonds.

Sec. 5.3. The validity of the authorization and issuance of any revenue bonds by the authority is not dependent on nor affected in any way by:

(a) Proceedings taken by the authority for the acquisition, construction or completion of the system or any part thereof.

(b) Any contracts made by the authority in connection with the acquisition, construction or completion of the system or any part thereof.

(c) The failure to complete any part of the system for which bonds are authorized to be issued.

Sec. 5.4. The authority shall issue revenue bonds in its name. These bonds shall constitute obligations of the authority only, and neither the payment of the principal or interest of any such bond constitutes a debt, liability or obligation of the county or the State of California. All bonds issued by the authority shall contain a recital on their face that neither the payment of the principal or any part thereof nor any interest thereon constitutes a debt, liability or obligation of the county or the State.

Sec. 5.5. The authority shall determine the time, form and manner of the issuance of revenue bonds.

Sec. 5.6. The authority may enter into indentures providing for the aggregate principal amount, date, or dates, maturities, interest rate, denominations, form, registration transfer and interchange of such bonds and coupons, and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded and refunded. Reference on the face of the bonds to such indenture by its date of adoption, or the apparent date on the face thereof, is sufficient to incorporate

all of the provisions thereof and of this act into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this act, and is bound thereby

Sec. 5.7. An indenture pursuant to which bonds are issued may include such covenants and agreements on the part of the authority as the authority deems necessary or advisable for the better security of the bonds issued thereunder.

Sec. 5.8 An indenture may include a clause relating to the bonds issued thereunder requiring the authority to pay or cause to be paid punctually the principal of all such bonds and the interest thereon on the date or dates, at the place or places, and in the manner mentioned in such bonds and in the coupons appertaining thereto in accordance with such indenture.

Sec 5.9. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to continuously operate the system acquired, constructed, or completed, in whole or in part, from the proceeds of the bonds in an efficient and economical manner.

Sec. 5.10 An indenture may include a clause relating to the bonds issued thereunder requiring the authority to make all needful and necessary repairs, renewals and replacements to the system and to keep it at all times in good repair, working order and condition.

Sec 5 11. An indenture may include a clause relating to the bonds issued hereunder requiring the authority to preserve and protect the security of the bonds and the rights of the holders thereof and to warrant and defend such rights.

Sec. 5 12. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to pay and discharge or cause to be paid and discharged all lawful claims for labor, materials and supplies or other charges which, if unpaid, might become a lien or charge upon the revenues, or any part thereof, of any improvements acquired, constructed or completed from the proceeds of the sale of the bonds, or upon any physical properties, or which might impair the security of the bonds.

Sec. 5 13. An indenture may include a clause relating to the bonds issued thereunder which limits, restricts, or prohibits any right, power or privilege of the authority to mortgage or otherwise encumber, sell, lease or dispose of any part of the system constructed from the proceeds of the bonds, or to enter into any lease or agreement which impairs or impedes the operation of the system, or any part thereof, necessary to secure adequate revenues or which otherwise impairs or impedes the rights of the holders of the bonds with respect to such revenues

Sec. 5 14. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to fix, prescribe and collect rates, fares, tolls, rentals or other charges in connection with the services and facilities furnished from the system or any part thereof, acquired, constructed or purchased from part or all of the proceeds of the bonds, sufficient to pay the principal of and interest on the bonds as they become due and payable, together with all expenses of operation, maintenance and repair of the system, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such improvement

Sec. 5 15. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to hold in trust the revenues pledged to the payment of such bonds and the interest thereon, or to any reserve or other fund created for the further protection of the bonds, and to apply such revenues or cause them to be applied only as provided in the indenture.

Sec. 5 16 An indenture may include a clause limiting the power of the authority to apply the proceeds of the sale of any issue of bonds for the acquiring, constructing or completing of the system or any part thereof.

Sec 5 17. An indenture may include a clause limiting the power of the authority to issue additional bonds for the purpose of acquiring, constructing or completing the system or any part thereof

Sec. 5 18. An indenture may include a clause requiring, specifying or limiting the kind, amount and character of insurance to be maintained by the authority on the system, or any part thereof, and the use and disposition of the proceeds of any such insurance thereafter collected.

Sec 5 19 An indenture may include a clause providing the events of default and the terms and conditions upon which any or all of the bonds of the authority then or thereafter issued may become or be declared due and payable prior to maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

Sec 5 20 An indenture may include a clause designating the rights, limitations, power and duties arising upon breach by the authority of any of the covenants, conditions or obligations contained in any indenture

Sec 5 21. An indenture may include a clause prescribing a procedure by which the terms and conditions of the indenture may be subsequently amended or modified with the consent of the authority and the vote or written assent of the holders of a

specified principal amount of the bonds issued and outstanding. Such clause may provide for meetings of bondholders and for the manner in which the consent of the bondholders may be given. The clause shall specifically state the effect of such amendment or modification upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom.

With respect to any clause providing for the modification or amendment of an indenture, the authority may agree that bonds held by the authority, by any department, political subdivision or agency of the State of California, or by any public corporation, municipality, district or political subdivision shall not be counted as outstanding bonds, or be entitled to vote or assent, but shall, nevertheless, be subject to any such modification or amendment.

Sec. 5.22. An indenture may include a clause providing for such other acts and matters as may be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

Sec. 5.23. The authority may designate a bank or trust company, qualified to do business in this State, as a trustee for the authority and the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

Sec. 5.24. The authority shall fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all revenues collected for or on account of the authority. The authority shall prescribe the duties and powers of such trustee with respect to the issuance, authentication, sale and delivery of the bonds and the payment of principal and interest thereof, the redemption of the bonds, the registration and discharge from registration of the bonds, and the management of any sinking fund or other funds provided as security for the bonds.

Sec. 5.25. The authority may issue bonds in series or may divide any issue into one or more divisions and fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions. It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or be of the same interest rate, but the terms thereof shall in each case be provided for by the authority, at or prior to the issue thereof. The authority may provide for successive issues or may provide for one maximum issue.

Sec. 5.26. Bonds may be issued as coupon bonds or as registered bonds. The authority may provide for the interchange of coupon bonds for registered bonds and registered bonds for coupon bonds, and may provide that the bonds shall be registered as to principal only, or as to both principal and interest, or otherwise as the authority may determine.

Sec. 5.27. Bonds shall bear interest at a rate of not to exceed six (6) percent. per annum, payable annually or semi-annually or in part annually and in part semi-annually. Prior to the isuance of bonds the authority may fix limitations or restrictions on the payment of interest.

Sec. 5.28. Bonds may be callable upon such terms, conditions, and upon such notice as the authority may determine, and upon the payment of the premium fixed by the authority in the proceedings for the issuance of the bonds. No bond is subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

Sec. 5.29. The authority may provide for the payment of the principal and interest of bonds at any place within or without the State of California, and in specified coin or currency of the United States of America.

Sec. 5.30. The authority may provide for the execution and authentication of bonds by the manual, lithographed or printed facsimile signature of officers of the authority, and by additional authentication by a trustee or fiscal agent appointed by the authority. If any of the officers whose signatures or countersignatures appear upon the bonds or coupons cease to be officers before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers had remained in office until the delivery of the bonds and coupons.

Sec. 5.31. Bonds shall bear dates prescribed by the authority. Bonds may be serial bonds or sinking fund bonds with such maturities as the authority may determine. No bond by its terms shall mature in more than 50 years from its own date and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

Sec. 5.32. The authority may fix terms and conditions for the sale or other disposition of any authorized issue of bonds The authority may sell bonds at less than their par or face value but no bond may be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values All bonds issued and sold pursuant to this act shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than 10 days prior to the date of sale, in a newspaper of general circulation printed and published in the county. The authority may reject any and all bids

submitted and may thereafter sell the bonds so advertised for sale at private sale under such terms and conditions as it deems most advantageous to its own interests, but the bonds shall not be sold at a price below that of the highest bid which was rejected.

Sec. 5.33. The authority may provide for the security of bonds. The authority may also provide for the payment of bonds out of any appropriations or other funds contributed to the authority by the State of California, the United States of America, or by any department or agency of either thereof. However, nothing in this act shall obligate the State of California to make any appropriation for that purpose.

Sec. 5.34. Interest on bonds may be paid out of the proceeds of the sale of the bonds during the actual construction of the system or any part thereof for the acquisition, construction or completion of which the bonds have been issued, and for a period of not to exceed two (2) years thereafter as provided for in the indenture.

Sec. 5.35. The authority may provide in the proceedings for the issuance of bonds that the bonds and the interest thereon constitute such lien upon the revenues of the system or any part thereof acquired, constructed or completed from the proceeds of such bonds as may be provided for in the indenture.

Sec. 5.36. Pending the actual issuance or delivery of revenue bonds, the authority may issue temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

Sec. 5.37. All bonds, and the interest or income therfrom, are exempt from all taxation in this State other than gift, inheritance and estate taxes.

Sec. 5.38. The authority may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the authority. All provisions of this act applicable to the issuance of revenue bonds are applicable to the funding or refunding bonds and to the issuance, sale or exchange thereof.

Sec. 5.39. Funding or refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be funded or refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such funding or refunding bonds. These expenses include the difference in amount between the par value of the funding or refunding bonds and any amount less than par for which the funding or refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such funding or refunding bonds from the date of sale thereof to the date of payment of the bonds to be funded or refunded or to the date upon which the bonds to be funded or refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

Sec. 5.40. All bonds issued under the provisions of this act are negotiable instruments, except when registered in the name of a registered owner.

Sec. 5.41. The bonds issued under this act are subject to investigation and certification by the California Districts Securities Commission under the California Districts Securities Commission Act as such act reads or is hereafter amended to read. If the commission determines that the bonds are adequately secured and the revenues of the authority applicable to the payment thereof are or will be sufficient to pay the principal and interest of the bonds, and if the commission certifies to that effect, the bonds shall be eligible as legal investments for both public and private funds in the same manner as is provided in the California Districts Securities Commission Act.

Sec. 5.42. Prior to the issuance of any bonds, the authority may commence in the Superior Court of the State of California, in and for the County of Los Angeles, a special proceeding to determine the right to issue the bonds and their validity. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22684, inclusive, of the California Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to and govern all such proceedings instituted under this act. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against the State of California.

CHAPTER 6. ACQUISITION, CONSTRUCTION AND COMPLETION OF SYSTEM

Sec. 6.1. Whenever in the judgment of the authority it is advisable that the system or any part thereof be acquired, constructed or completed, in whole or in part, it shall cause a report thereon to be made which shall include:

(a) An estimate of the probable cost of the acquisition, construction and completion including all incidental expenses, engineering, legal and administrative, during construction;

(b) An estimate of the probable sources of income and the amount thereof;

(c) An estimate of the cost of maintenance and future operation upon completion, including the cost of all repairs, administrative and overhead charges.

The expense of the preparation of such report shall be paid by the authority out of any funds available, including the proceeds of revenue bonds thereafter issued.

Sec. 6.2. If the report is approved by the authority, the authority may adopt a resolution declaring that the public interest and necessity demand the acquisition,

construction or completion of the system or part thereof, authorizing such acquisition, construction or completion, and may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds in an amount estimated by the authority to be sufficient for such purpose.

Sec. 6.3. The authority has full charge of the acquisition, construction and completion of the system or any part thereof authorized by it and may proceed with such work forthwith.

Sec. 6.4. The authority may construct the system or any part thereof and acquire all property necessary therefor on such terms and conditions as it deems advisable. The authority, without awarding a contract for the construction of the system or any part thereof, may do the work directly and may purchase materials, hire labor and do all other things necessary for the doing of the work. When any part of the work is to be done or performed by any public body or by the United States jointly or in conjunction with the authority, the portion of the cost thereof to be borne by the authority may be turned over to the Government of the United States or to any other public body to be expended by it in the acquisition, construction or completion of the system or any part thereof. Construction contracts entered into by the authority shall not be subject to the provisions of the State Contract Act and shall be governed solely by the provisions of this act, except that the provisions of Chapter 3, Division 5 of Title 1 of the Government Code are hereby expressly made applicable to the system or any part thereof under this act. Any such contracts may be entered into in such manner and upon such terms as the authority deems advisable.

Sec. 6.5. Title to all property acquired by the authority, and the revenues and income therefrom, is in the name of the authority. The title to any moneys, revenues, sinking funds, reserve funds and other funds of the authority and the income thereof pledged to the payment of the principal or any interest on any bonds issued hereunder is subject to the trusts hereby created in favor of the bondholders. All such property, and the income therefrom, are exempt from all taxation by the State or by any county, city and county, city, municipality, district, political subdivision or public corporation thereof. The management, operation and control of the system and of every part thereof, acquired, constructed or completed by the authority shall be vested in the authority and the powers, rights, functions and duties of the authority with respect thereto shall not be interfered with.

Sec. 6.6. The authority may use for the payment of the acquisition and construction or completion of the system or any part thereof any funds made available to the authority to be expended for the accomplishing of the purposes set forth in this act or the proceeds of revenue bonds issued and sold by the authority.

Sec. 6.7. The authority may insure against any accident to or destruction of the system or any part thereof. Any money collected on such insurance shall be used for the purpose of repairing or rebuilding the system or any part thereof damaged, injured or destroyed, or for the retirement of any revenue bonds issued in connection therewith which may be outstanding unredeemed, as may be agreed upon by the authority in the resolution authorizing the issuance of the bonds.

Sec. 6.8. The authority may insure against loss of revenues from any cause whatsoever and the proceeds of any such insurance shall be used solely for the payment of bonds and the interest thereon.

Sec. 6.9. The authority may insure against public liability or property damage. It may provide in the proceedings authorizing the issuance of any revenue bonds for the carrying of such or any other insurance, in such amount and of such character as may be specified, and for the payment of the premiums thereon.

CHAPTER 7. RATES, FARES, TOLLS, CHARGES AND FEES

Sec. 7.1. The authority shall fix the rates, fares, tolls and other charges for all transportation facilities comprising the system or any part thereof acquired, constructed or completed under the terms of this act, for the use thereof by any persons utilizing such facilities. Subject to such contractual obligations as may be entered into by the authority and the holders of the revenue bonds issued under this act, the authority is authorized to change such rates, fares, tolls and charges from time to time as conditions warrant. All rates, fares, tolls and charges shall be at all times fixed to yield annual revenue equal to annual operating and maintenance expenses, including insurance costs and all redemption payments and interest charges on the revenue bonds at any time issued and outstanding hereunder, as the same become due. The bond redemption and interest payments shall constitute a first, direct and exclusive charge and lien on all such rates, fares, tolls and charges and other revenues and interest thereon, and sinking funds created therefrom, received from the use and operation of the system; and all such rates, fares, tolls, charges and other revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds and, except as and to the extent provided in any indenture with respect to the payment therefrom of expenses for operation, maintenance, improvements or extensions of the system, shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding and unpaid. The authority may provide that the rates, fares, tolls and charges established are minimum rates, fares, tolls and charges and subject to increase or decrease in accordance only with the terms of the indenture under which the revenue bonds are issued.

CHAPTER 8. COMPETITIVE SYSTEMS

Sec. 8.1. The authority may include, in any indenture for the issuance of revenue bonds, a clause that no interurban passenger transportation line or facilities, excepting only such lines and facilities as shall comprise parts of the system and excepting also any other passenger transportation line or facilities then in existence in the county, will be acquired or constructed by the authority or by any other public corporation or agency of the State of California within the county, so long as any of the bonds of the authority are issued under any such indenture and then outstanding. Such limitation shall be valid and binding upon the authority and the State of California.

Sec. 8.2. The authority may also include in any indenture for the issuance of bonds a clause that no system or part thereof acquired, constructed or completed from the proceeds of revenue bonds issued by the authority shall be used without charge therefor or be furnished free of charge to any person, including the State of California or any political subdivision thereof, or any public corporation or individual, other than employees of the authority or of the State of California or other public body actually engaged in rendering service to the authority in connection with the system.

Sec. 8.3. The State of California hereby agrees that, so long as any bonds issued hereunder are outstanding and unpaid, or so long as there are not funds available, after construction of the system or any part thereof, in the treasury of the authority in an amount sufficient to retire all outstanding bonds, it will not directly or indirectly construct or permit the construction of any interurban transportation system in the county other than the system provided for in this act. The provisions of this section shall be binding upon Los Angeles County and upon all agencies, departments or instrumentalities of this State, and the prohibition of this section shall restrict and limit the powers of the Legislature of the State of California in respect of the matters herein mentioned as long as any of such bonds are outstanding and unpaid, or as long as there are not funds available after the construction of the system, in the treasury of the authority in sufficient amount to retire all the outstanding bonds, and shall be deemed to constitute a contract to that effect for the benefit of the holders of all such bonds.

CHAPTER 9. RIGHTS OF BONDHOLDERS

Sec. 9.1. The holder of any bond issued pursuant to this act may for the equal benefit and protection of all holders of bonds similarly situated (a) by mandamus or other appropriate proceeding, require and compel the performance of any of the duties imposed upon the authority or assumed by it, its officers, agents or employees, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction or insurance of the system, or the collection, deposit, investment, application and disbursement of rates, fares, tolls or charges and all other revenues derived from the operation and use of the system or in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds under this act; (b) by action or suit in equity, require the authority to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds or apply for the appointment of a receiver of the system; or (c) by action or suit in equity, apply for the appointment of a receiver of the system and of the business and assets of the authority, if the authority is insolvent or in imminent danger of insolvency, or if in any other circumstances a receiver of the system may properly be appointed according to the usages of courts of equity. The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this act.

CHAPTER 10. CONTRIBUTIONS AND COOPERATION

Sec. 10.1. The authority may accept contributions or appropriations from the United States of America, the State of California, or any department or agency of either thereof, or from any county, city and county, city, political subdivision, agency, district or other public corporation of this State.

Sec. 10.2. The authority may cooperate and contract with the United States under any act of Congress heretofore and hereafter enacted authorizing or permitting such cooperation. The authority may enter into any contract, arrangement or agreement with any other public agency and may cooperate with the State of California or any other public agency for the development of the system.

Sec. 10.3. The State of California or any public corporation of this State may cooperate and enter into contracts with the authority for the acquisition, construction, completion, maintenance, operation, repair, joint or otherwise, and in whole or in part, of the system. In connection with any such cooperation or contract, the State or any such public corporation may make public contributions to the authority as in the judgment of the Legislature, or the governing board of the public corporation, are necessary or proper for its undertaking, and the authority may reimburse the State or such public corporation for any such advance or contribution from the proceeds of the sale of revenue bonds or any other funds available to the authority. Any agreement made by the authority for such reimbursement of advances or contributions made to it shall be valid and enforceable against the authority. The State or any

such public corporation may also authorize, aid and assist the authority to carry out any activity which the State or such public corporation is by law authorized to perform and carry out on its own behalf.

CHAPTER 11. FUNDS

Sec. 11.1. The proceeds from the sale of all bonds authorized under the provisions of this act may be paid upon the direction of the authority either to the treasurer of the authority as custodian of the special trust fund, which fund is created by Section 11.2 hereof, to be held for the account of the authority, or may be paid direct to any bank or trust company designated as the fiscal agent and depositary of the authority, as in this act provided.

Sec. 11.2. There is hereby created a fund to be known as the "Los Angeles Metropolitan Transit Authority Construction Fund," in the event the proceeds of the sale of bonds authorized under this act shall be paid to the treasurer of the authority. Such construction fund shall at all times be kept separate and apart from all other funds and shall be held by the treasurer as a special fund for the account of the authority. The moneys in the construction fund shall be paid out and disbursed solely for the construction of the system pursuant to the provisions of this act, including surveys, preparation or acquisition of plans and specifications, engineering reports and studies, patents, rights, licenses and interests, and for the payment of all other costs and expenses prior to and during construction, including the acquisition of necessary rights of way, easements, lands and other property of every kind and description and appurtenances thereto, and the payment of all expenses, engineering, legal and administrative costs as provided by the authority in the proceedings for the issuance of such bonds. The treasurer shall keep an accurate account of all money deposited in and withdrawn from the construction fund

Sec. 11.3 In the event the proceeds of the sale of bonds are deposited in a special construction find in the custody of the treasurer, such moneys may be deposited as demand deposits in such depositary or depositaries as may be authorized by law to receive deposits of county funds

Sec. 11.4. If any surplus shall exist in the construction fund after the payment in full of all costs of acquisition, construction and completion of the system or part thereof for which the revenue bonds were issued, the same may be paid out and disbursed for any of the purposes of the authority in addition to those for which it may be paid out and disbursed pursuant to Section 11.2 hereof, but subject to any agreement which may be made by the authority in any indenture for the issuance of the revenue bonds with respect to the application of such surplus.

Sec. 11.5. In lieu of depositing the proceeds of sale of said bonds with the treasurer, the authority may, in any indenture for the issuance of bonds, designate a trustee or fiscal agent, which shall be a bank or trust company, or banks or trust companies, duly qualified to do business in this State, to receive the proceeds of such revenue bonds and to hold the same to the credit of a fund to be designated as the "Los Angeles Metropolitan Transit Authority Construction Fund," which fund shall be kept segregated and set apart from all other funds and shall be paid out and disbursed solely upon the application and demand of the authority.

Sec. 11.6. The authority may provide that the payment of interest becoming due and payable on the revenue bonds prior to and during the period of actual construction of the system or part thereof for which the bonds are issued, and for the period specified in the indenture for the issuance of the bonds, which period shall not exceed two (2) years after the completion of construction, and that the payment of all costs and expenses of administration during a period of one year after the completion of construction of the system or part thereof, shall be made out of the construction fund as the need therefor shall arise, and any moneys in the construction fund are hereby made available for such purposes.

Sec. 11.7. Moneys in the construction fund, whether held by the treasurer or in any fiscal agency or depositary of the authority, not required to meet acquisition or construction costs or expenses payable from the construction fund, or interest on the bonds, may be invested in bonds and other obligations eligible for investment of surplus county moneys; subject to such limitations as may be provided in the proceedings authorizing the issuance of the bonds. Any income or interest thereon shall be added to and become a part of the construction fund for the benefit of the authority.

Sec. 11.8. All revenues received from the operation of the system acquired or constructed or completed by the authority may be paid over by the authority either to the treasurer as custodian thereof or to any fiscal agent or depositary appointed by the authority.

Sec. 11.9. If the revenues are paid over by the authority to the treasurer, the same shall be held by the treasurer in a special fund and applied exclusively for the account of the authority. Said special fund is hereby designated "Los Angeles Metropolitan Transit Authority Revenue Fund." The moneys in the revenue fund shall be deposited by the treasurer in time or demand deposits in such depositary or depositaries as may be authorized by law to receive deposit of county funds, to the credit of the revenue fund, or may be invested in such bonds or obligations as are by law legal investments for county moneys, subject to such limitations and restrictions as may be provided in the resolution under which bonds of the authority are issued and

outstanding Any income or interest received upon such deposits or investments shall be added to the revenue fund and inure to the benefit of the authority. The moneys in the revenue fund shall be paid out and disbursed for the payment of the principal of and interest on all bonds issued by the authority under the provisions of this act, as and when such principal and interest shall become due, and for the creation of any reserve fund or other special fund provided by the authority in the proceedings for the issuance of said bonds, and also for the payment of all costs and expenses for the maintenance and operation of the system, engineering, legal and administrative costs and for all repairs and replacements and other costs and expenses of the authority The treasurer shall keep an accurate account of all money deposited in and withdrawn from the revenue fund.

Sec. 11 10 In lieu of deposit of the revenues received from the system with the treasurer, the authority may deposit all such revenues at any bank or trust company appointed depositary or fiscal agent of the authority in the proceedings for the issuance of the bonds, and if such fiscal agent or depositary is so appointed the authority shall provide for the collection of all revenues and for the receipt and disbursement thereof by the fiscal agent. The authority may, in its absolute discretion, fix the terms and conditions upon which the trustee or trustees or fiscal agent or depositary shall receive, hold and disburse such revenues, and may prescribe the duties and powers of such fiscal agent, trustee or trustees or depositary in the indenture or other proceedings for the issuance of the bonds.

CHAPTER 12. GENERAL AUTHORITY

Sec. 12.1. The authority, and its officers and agents may perform such acts and enter into such agreements with the authority, not inconsistent with law, as may be necessary or desirable in connection with the duties and powers conferred upon the authority by this act, in the matter of acquiring, constructing, completing, maintaining, operating, repairing or insuring or replacing the system or any part thereof acquired, constructed or completed under this act, for the safeguarding of funds and revenues required for the purposes of this act, and for the payment of the revenue bonds issued pursuant to this act.

CHAPTER 13. CONSTRUCTION AND INTERPRETATION

Sec 13 1 This act shall be liberally construed to carry out the objects and purposes and the declared policy of the State of California as in this act set forth

Sec 13.2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional or invalid or unenforceable, such decision shall not affect the validity or enforceability of the remaining portions of the act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases may be declared unconstitutional, invalid or unenforceable.

Sec. 13 3. This act shall not operate to rescind or repeal any other act of the State of California providing for the issuance of revenue bonds or the creation of any other authority for any other purpose."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out all of pages 2 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 13	Senate Bill No. 566
Senate Bill No. 82	Senate Bill No. 975
Senate Bill No. 84	Senate Bill No. 1034
Senate Bill No. 85	Senate Bill No 1127
Senate Bill No 121	Senate Bill No. 1155
Senate Bill No. 304	Senate Bill No. 1474
Senate Bill No. 466	Senate Bill No. 1600
Senate Bill No. 536	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 83
Senate Bill No. 227
Senate Bill No. 1072

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1815

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 18
Assembly Bill No. 118
Assembly Bill No. 812
Assembly Bill No. 2022
Assembly Bill No. 2858
Assembly Bill No. 3348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate, pursuant to your request, is returning herewith:

Assembly Bill No. 2693
Assembly Bill No. 3121

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 65
Senate Bill No. 760
Senate Bill No. 1004
Senate Bill No. 1444
Senate Bill No. 1712

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 760—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1004—An act to amend Section 3084 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Senate Bill No. 1444—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Senate Bill No. 1712—An act to amend Section 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, June 5th, passed Assembly Bill No. 3121.

Assembly Bill No. 3121 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 3121, on motion of Mr. Maloney.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2043—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Section 13 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, relieving the Fish and Game Commission of the administration of the Division of Fish and Game, Department of Natural Resources.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 10 of, and to repeal Sections 13 and 1420 of,", and strike out lines 2 to 6, inclusive of the title, and insert "Sections 39.1 and 340 of the Fish and Game Code, relating to fish and game."

Amendment No. 2

On page 1, line 1, of said bill, strike out "10", and insert "39.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"39.1 Whenever after due investigation the commission shall find that big game animals and upland game birds have increased in numbers in any fish and game district or refuge to such an extent that a surplus exists, or to such an extent that such animals or birds are damaging public or private property, or are overgrazing their range, the [said] commission [, with the approval of the Director of the Department of Natural Resources and with the consent of the Governor,] is hereby authorized [and directed] to provide, *by order*, for a special hunting season for such animals and birds, additional to, or concurrent with any open season specified by law; or to provide for increased bag limits; or to remove sex restrictions specified by law. *Prior to the making of such an order the commission at an open meeting shall publicly announce the contents of the proposed order and fix a time and place at which a hearing on the proposed order shall be held. The time shall be not less than 35 days from the day of said meeting and the place shall be the county seat of the county in which the area to be affected by the order lies or, if such area lies in more than one county, the county seat of the county in which the greater portion of such area lies. Notice of the hearing shall be published at least once, and at least 30 days prior to the hearing, in a newspaper of general circulation in the county in which the hearing is to be held, or if no such newspaper is published in said county then in such a newspaper in an adjoining county. At least one member of the commission, and such employees of the department as may be necessary or are requested by any interested person, shall be present at the hearing. After the hearing the commission may abandon the proposal or make a final order, with any modifications it deems appropriate or without modification.*

The [Fish and Game Commission] *order* may fix a license fee for special hunting, designate the number of special licenses to be issued, the area in which such hunting will be permitted, the number and sex of animals or birds that may be killed by each holder of special license, and the conditions and regulations to govern such hunting. The money received from the sale of such licenses shall be paid into the State Fish and Game Preservation Fund.

SEC. 2. Section 340 of said code is amended to read:

340. Except in accordance with the rules and regulations of the commission, it is unlawful to enter upon a game refuge or public shooting grounds established under the provisions of this chapter, or to take therein any bird on the nest or eggs thereof, or any mammal.

The taking of birds and mammals on public shooting grounds shall be regulated by the commission by order.

Prior to the making of such an order the commission at an open meeting shall publicly announce the contents of the proposed order and fix a time and place at which a hearing on the proposed order shall be held. The time shall be not less than 35 days from the day of said meeting and the place shall be the county seat of the county in which the area to be affected by the order lies or, if such area lies in more than one county, the county seat of the county in which the greater portion of such area lies. Notice of the hearing shall be published at least once, and at least 30 days prior to the hearing in a newspaper of general circulation in the county in which the hearing is to be held, or if no such newspaper is published in said county then in such a newspaper in an adjoining county. At least one member of the commission, and such employees of the department as may be necessary or are requested by any interested persons, shall be present at the hearing. After the hearing the commission may abandon the proposal or make a final order, with any modifications it deems appropriate or without modification."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 22, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 295—An act to add Section 626.5 to, and to amend Section 685 of, the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "add Section 626.5 to, and to".

Amendment No. 2

In line 2 of the title of said bill, after "of", strike out the comma.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert "SECTION 1. Section 685 of the Agricultural Code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1806—An act to amend Sections 1101, 1102.2, 1102.3, and 1107 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, line 11, of the printed bill, as amended in the Assembly on June 4, 1951, strike out ", the action to be brought by the district attorney".

Amendment No. 2

On page 3, line 12, of said bill, strike out "of the county in which the violation occurs".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "other than butter, cheese and ice cream".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 11, inclusive, and insert

"674.5. In harmony with the provisions of the California Pure Food Act, the department shall adopt standards of identity for those milk products covered by the provisions of this division to which food products other than those derived from milk have been added."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2195—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to hog farms.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert

"25100. For the purpose of this chapter, the following words and phrases are defined and shall be construed as having the following meaning:

(a) "Garbage" means all animal or vegetable refuse or residue from kitchens, canneries, bakeries, restaurants, lunch stands, distilleries, wineries, meat, fish, fruit or vegetable markets, and other food handling places, and all household waste or residue that shall result from the preparation or care for, or treatment of, food stuffs intended to be used as food, or shall have resulted from the preparation or handling of food for human consumption, or any decayed or unsound meat, fish, fruit or vegetables;

(b) "Commercial garbage-fed hog ranch" means any premises where more than seven hundred fifty (750) head of swine are maintained, raised, fed or fattened on garbage.

25101. No commercial garbage-fed hog ranch shall be established, after the effective date of this chapter, within two miles of any public school or public park, or within one-half mile of any occupied dwelling house not located upon the commercial garbage-fed hog ranch, or within one mile of any public highway.

25102. The provisions of this chapter shall not apply to commercial garbage-fed hog ranches in existence prior to the effective date of this chapter.

25103. The violation of any of the provisions of this chapter is a misdemeanor."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 850—An act to amend Section 10375 of the Health and Safety Code, relating to registration of births, deaths, and marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 1, 1951, strike out lines 3 and 4, and insert

"(a) Signature and license number of embalmer, provided that by a written special power of attorney, which shall be retained by the attorney for a period of one year, an embalmer may authorize his signature affixed after he has embalmed a body; name of funeral director, or person acting as".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1530—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amending Sections 5050, 5050.1, 5050.2, and", and insert "to amend Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; strike out all of pages 2 and 3; and on page 4, strike out lines 1 to 21, inclusive.

Amendment No. 3

On page 4 of said bill, strike out line 22, and insert

"SECTION 1. Section 5050.5 of the Welfare and Institutions Code is amended to read:".

Amendment No. 4

On page 4, lines 38 and 39, of said bill, strike out "certified by a licensed physician and surgeon", and insert "affirmatively alleged".

Amendment No. 5

On page 4, line 47, of said bill, strike out "five", and insert "four".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 175—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and", and insert a comma.

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "and Section 28112 of the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 17 and 18, insert

"SEC. 3. Section 28112 of the Government Code is amended to read:

28112. In a county of the twelfth class the following shall receive as compensation for the services required of them by law or by virtue of their office the following sums:

(a) The auditor, seven thousand five hundred dollars ($7,500) a year.

(b) The district attorney eight thousand four hundred dollars ($8,400) a year for his full-time services. He shall not engage in the private practice of law.

(c) Each supervisor, four thousand two hundred dollars ($4,200) a year and the necessary and actual expenses incurred in the performance of the duties of his office.

(d) Grand jurors and trial jurors in superior courts shall receive for each day's attendance in court, upon regularly called jury meetings, committee meetings, or when appointed by the foreman of a grand jury to make individual investigations three dollars ($3) a day. In justices' courts in civil cases, jurors shall receive for each day's attendance, [two dollars ($2)] *three dollars ($3)*. In justices' courts and city courts in criminal cases jurors shall receive for each day's attendance, [one dollar and fifty cents ($1.50)] *three dollars ($3)*. All jurors shall receive ten cents ($0.10) for each mile actually and necessarily traveled from their residences to the places of service, in going only, mileage to be allowed but once in any one day, during any session of the court where the jurors serve. The fees of all trial jurors in civil cases

shall be paid by the litigants as other costs are paid, and jurors in criminal cases in a city court shall be paid by the city in which the court is established.

The compensation provided by this section shall be payable to incumbent officers."

Amendment No. 4

On page 2, line 18, of said bill, strike out "3", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2924—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof, relating to the State Board of Chiropractic Examiners, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "Section 1", and insert "Sections 1, 3, 10, 12, and 15, adding Section 10.5, and repealing Section 8".

Amendment No. 2

In line 8 of the title of said bill, after "Examiners", insert "and the practice of chiropractic".

Amendment No. 3

On page 1, line 5, of said bill, strike out "five", and insert "seven".

Amendment No. 4

On page 2, line 5, of said bill, strike out "ten dollars ($10)", and insert "thirty dollars ($30)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 2 of said bill, between lines 11 and 12, insert

"SEC. 2. Section 3 of said act is amended to read:

SEC. 3. The board shall [convene within 30 days after the appointment of its members, and shall] organize by the election of a president, and a vice-president to be chosen from the members of the board, and a secretary, who may, but need not be a member of the board. The board shall fix the salary of the secretary, with the approval of the Director of Finance. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of [three] *four* members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first

day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 3. Section 8 of said act is hereby repealed

SEC. 4. Section 10 of said act is amended to read:

Sec. 10. (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the grounds, to wit. The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising [.] *; or any other act which constitutes unprofessional conduct.* The proceedings for the refusal to grant, *suspend or revoke* [suspension or revocation of] a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

SEC. 5 Section 10.5 is added to said act to read:

Sec. 10.5. The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted, constitutes unprofessional conduct within the meaning of this chapter.

Unprofessional conduct as used in this act is defined as follows:

(a) The procuring, aiding or abetting in the procuring of criminal abortion; the paying for steering patients into one's office; obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well; the wilful betrayal of professional secrets of a patient to the detriment of such patient; chiropractic advertising which is untrue or misleading; conviction of any offense involving moral turpitude; wilful neglect of a patient in a critical condition.

SEC. 6. Section 12 of said act is amended to read:

Sec 12. Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of not less than two dollars ($2) nor more than ten dollars ($10) as may be set by the board. The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of [ten dollars ($10),] *twenty-five dollars ($25),* except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Any licentiate serving in the Armed Forces of the United States shall be exempt from payment of the renewal fee during such period of service and for one year thereafter.

SEC. 7. Section 15 of said act is amended to read:

Sec. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D C." immediately following his name, or the use of the letters "M D" or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than [fifty] *two hundred* dollars ($200) and not more than [two] *six* hundred dollars ($600), or by imprisonment in the county jail for not less than 30 days nor more than 90 days, or both.

Immediately after enactment of this measure, seventy-five percent (75%) of the fines imposed or forfeitures of bail collected shall be paid upon collection by the proper officer of the court to the Board of Chiropractic Examiners. Such payment to the board shall be made without placing the fine or forfeiture in any special, contingent, or general fund in any county, city, or township. The balance of twenty-five percent (25%) of such fines or forfeitures shall be paid to the county in which the fine or forfeiture is levied."

Amendment No. 6

On page 2, line 12, of said bill, strike out "SEC. 2. Section 1", and insert "SEC. 8. Sections 1 to 7, inclusive,".

Amendment No. 7

On page 2, line 15, of said bill, strike out "SEC. 3. Section 1", and insert "SEC. 9. Sections 1 to 7, inclusive,".

Amendment No. 8

On page 2, line 24, of said bill, strike out "Section 1", and insert "Sections 1 to 7, inclusive,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 295—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 1820—An act to amend Section 25 of the Fish and Game Code, relating to the leasing of property and the establishment of fish breederies or hatcheries and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1822—An act to amend Sections 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to citrus fruits.

Bill read second time, and ordered to third reading.

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Bill read second time, and ordered to third reading.

Senate Bill No. 825—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs.

Bill read second time, and ordered to third reading.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 8, of the printed bill, after "pheasant", insert "while being transported and".

Amendment No. 2

On page 1, line 8, of said bill, strike out "immediate".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "7", and insert "6".

Amendment No. 2

On page 2, line 1, of said bill, strike out "7", and insert "6".

Amendment No. 3

On page 2, line 47, of said bill, strike out "Commission", and insert "Commissioner".

Amendment No. 4

On page 3, line 9, of said bill, strike out "Commission", and insert "Commissioner".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of step-fathers to support needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 31, 1951, after the period, insert "Aid shall not be withheld from any child because of the failure of a stepfather to contribute to his support."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 520—An act to amend Sections 28385, 28386, 28400, 28412, 28413, 28414, 28415, 28416 and 28434, of the Health and Safety Code, relating to canneries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on May 24, 1951, strike out ", of", and insert "of, and to add Section 28403 to,".

Amendment No. 2

On page 2, line 40, of said bill, strike out "prorating the direct cost as", and insert "all other procedures".

Amendment No. 3

On page 2, lines 42 and 43, of said bill, strike out "secure the amount of direct costs by assessing", and insert "assess".

Amendment No. 4

On page 2, line 44, of said bill, after "chapter," insert "for the number of man hours necessary to be employed, at".

Amendment No. 5

On page 2 of said bill, strike out line 45, and insert "estimated direct cost."

Amendment No. 6

On page 2 of said bill, after line 45, insert

"SEC 3.5 Section 28403 is added to said code to read:

28403. One-half the license fees required under Section 28411 shall be used to reduce the charges to the licensees in the manner determined by the Cannery Inspection Board with the approval of the state board."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

UNFINISHED BUSINESS

REQUEST FOR UNANIMOUS CONSENT THAT CONFERENCE REPORT CONCERNING ASSEMBLY BILL NO. 99 BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that the report of the Committee on Conference concerning Assembly Bill No. 99 be ordered printed in the Journal, without action, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, read, and ordered printed in the Journal without action, at this time:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A nonprofit corporation or association which has been in existence for not less than one year, and which, during such period of time and thereafter, is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, and which, during such period of time and thereafter, has at least 100 bona fide members who are required to pay regular membership dues amounting to not less than twelve dollars ($12) a year."

Amendment No. 2

On page 3, line 42, of said bill, strike out "1947", and insert "1951".

	McCOLLISTER
BURNS	DOYLE
WAY	LYON
Senate Committee on Conference	Assembly Committee on Conference

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 24, 1951, after the period, insert "This section shall apply only to the county central committees of those parties with which more than 2,500,000 voters were registered as being affiliated for the next preceding gubernatorial election."

BURNS	LYON
DILWORTH	BRADY
REGAN	McCOLLISTER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report refused adoption by the following vote:

AYES—Evans, Gaffney, Lowrey, Munnell, Smith, and Waters—6.

NOES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Grunsky, Gubser, Hahn, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Tomlinson, and Mr. Speaker—51

Appointment of Second Committee on Conference Concerning Senate Bill No. 789

The Speaker announced the appointment of Messrs. Waters, Babbage, and Maloney as a Second Committee on Conference concerning Senate Bill No. 789.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2730—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2730 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 72—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 72?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 21, 1951, strike out "eleven thousand dollars ($11,000)", and insert "eleven thousand five hundred dollars ($11,500)".

Amendment No. 2

On page 2, line 29, of said bill, as amended, strike out "eleven thousand dollars ($11,000)", and insert "eleven thousand five hundred dollars ($11,500)".

Amendment No. 3

On page 2, line 45, of said bill, as amended, strike out "eleven thousand dollars ($11,000)", and insert "eleven thousand five hundred dollars ($11,500)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 72 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Chapel, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—58.

NOES—None.

Assembly Bill No. 72 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 188

Mr. Stanley asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 188, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 188?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "County", insert "from sunrise Saturday to sunset Sunday".

Amendment No. 2

On page 1, line 8, of said bill, as amended, after the period, insert

"Purse seine or ring nets may not be used from May 1st to September 10th, inclusive in the following portions of District 19:

(a) Within a two-mile radius of Dana Point.

(b) Within a two-mile radius of San Mateo Point.

(c) Within two miles off shore from the line of the high water mark along that portion of the coast of Orange County lying between the northernmost bank of the mouth of the Santa Ana River and a point on said coast six miles south therefrom."

Amendment No. 3

In line 2 of the title of the printed bill, as amended in the Assembly on May 2, 1951, after "nets", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1 of said bill, as amended, following line 8, Section 2 is added, to read:

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Orange County coast line, containing some 35 miles of coastal frontage, contains two harbors and many piers from which commercial and sport fishing boats operate, largest of said harbors being Newport Harbor, which, alone, has in excess of 4,000 boats. Most of these boats fish either commercially or for sport fishing The economic value of these boats, plus the employment they afford are a tremendous asset to the economic well-being of the County of Orange and the State of California.

Many fish which were formerly plentiful in this area have now been seriously depleted, due primarily to purse seining. The spawning season for most species of these fish is between May 1st and September 10th.

It is therefore necessary that this act go into immediate effect as a conservation measure for protection of both commercial and sport fishing."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 188 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 188 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 287?

Amendment No. 1

On page 1, line 18, of the printed bill, after "misleading", insert ", or which violates the provisions of Section 17500 to the Business and Professions Code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 287 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 287 ordered enrolled.

Assembly Bill No. 462—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 462?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "426", and insert "425".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "twenty-sixth", and insert "twenty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "426", and insert "425".

Amendment No. 4

On page 1, line 3, of said bill, as amended, strike out "426", and insert "425".

Amendment No. 5

On page 1, line 4, of said bill, as amended, strike out "twenty-sixth", and insert "twenty-fifth".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 462 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 462 ordered enrolled.

Assembly Bill No. 467—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 467?

Amendment No. 1

On page 2 of the printed bill, after line 9, insert

"SEC. 4. Section 2 of this act shall not become operative if Chapter 1.5 is added to Division 10 of the Education Code by enactment of the Legislature at its 1951 Regular Session, and in such case, Section 2 of this act is repealed at the same time as said Chapter 1.5 of Division 10 of said code takes effect."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 467 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Assembly Bill No. 467 ordered enrolled.

Assembly Bill No. 1354—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1354?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 1, 1951, strike out line 35, and insert "Ten deputies (custodians) at the fee allowed by law".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1354 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1354 ordered enrolled.

Assembly Bill No. 1355—An act providing for the constitution of the municipal court in a district embracing the City of Hayward, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1355?

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, and insert "in a municipal court district to be known as the San Leandro-Hayward Municipal Court District consisting of all of Eden Township, County of Alameda, and prescrib-".

Amendment No. 2

On page 1, of said bill, as amended, strike out "district" on line 1; and strike out line 2, and insert "municipal court district to be known as the San Leandro-Hayward Municipal Court District embracing all of Eden Township, County of Alameda, as said township existed on May 20, 1951, shall be constituted, and the".

Amendment No. 3

On page 1, lines 11 and 12, of the printed bill, as amended in the Senate May 23, 1951, strike out "five hundred dollars ($500)", and insert "four hundred fifty dollars ($450)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1355 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Assembly Bill No. 1355 ordered enrolled.

Assembly Bill No. 1359—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1359?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "five hundred dollars ($500)", and insert "four hundred fifty dollars ($450)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1359 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.
NOES—None.

Assembly Bill No. 1359 ordered enrolled.

Assembly Bill No. 1373—An act providing for the constitution of the municipal court in a district embracing the City of San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1373?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Alviso and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of San Jose", and insert "Cities of Alviso and San Jose known and designated as the Alviso-San Jose District".

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 12 to 15, inclusive, and insert "salary of three hundred sixty dollars ($360) monthly with annual increments of twenty-six dollars ($26), twenty-seven dollars ($27), twenty-seven dollars ($27), and twenty-seven dollars ($27) to a maximum of four hundred sixty-seven dollars ($467) monthly;".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 18 to 22, inclusive, and insert "receive a minimum salary of two hundred sixty-five dollars ($265) monthly with annual increments of twenty-two dollars ($22), twenty-two dollars ($22), twenty-two dollars ($22), and twenty-two dollars ($22) to a maximum of three hundred fifty-three dollars ($353) monthly;".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 24 and 25; and on page 2, strike out lines 1 and 2, and insert "minimum salary of one hundred ninety-five dollars ($195) monthly with annual increments of twenty-one dollars ($21), seventeen dollars ($17), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of two hundred sixty-seven dollars ($267) monthly;".

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 4 to 7, inclusive, and insert "salary of three hundred twenty-five dollars ($325) monthly with annual increments of twenty-five dollars ($25), twenty-five dollars ($25), twenty-five dollars ($25), and twenty-five dollars ($25) to a maximum of four hundred twenty-five dollars ($425) monthly;".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 9 to 13, inclusive, and insert "receive a minimum salary of two hundred fifty dollars ($250) monthly with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-one dollars ($21), and twenty-two dollars ($22) to a maximum of three hundred thirty-five dollars ($335) monthly;".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1373 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick,

Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1373 ordered enrolled.

Assembly Bill No. 1382—An act providing for the constitution of the municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1382?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "ten thousand dollars ($10,000)", and insert "nine thousand dollars ($9,000)".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended in the Senate on May 23, 1951, strike out "nine thousand dollars ($9,000)", and insert "eight thousand dollars ($8,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1382 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Moss, Porter, Shaw, Smith, Thomas, Tomlinson, and Mr. Speaker—42.

NOES—Beck, Cooke, Dunn, Elliott, Munnell, Stewart, and Waters—7.

Assembly Bill No. 1382 ordered enrolled.

Assembly Bill No. 1492—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1492?

Amendment No. 1

On page 2 of the printed bill as amended in the Assembly on March 22, 1951, between lines 5 and 6, insert

"SEC. 2. Nothing contained in this act shall be construed to affect the collection of taxes levied or collectible under the provisions of Section 1015.5 of the Fish and Game Code prior to the effective date of this act, and such taxes shall remain fully collectible."

Amendment No. 2

On page 2, line 6, of said bill, as amended, strike out "2.", and insert "3."

Amendment No. 3

On page 1, line 9, of the printed bill, as amended in the Senate on April 18, 1951, strike out "commission", and insert "department".

Amendment No. 4

On page 1, lines 14 and 15, of said bill, as amended, strike out "Division of Fish and Game", and insert "Department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1492 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1492 ordered enrolled.

Assembly Bill No. 1517—An act to amend Sections 13020, 13040, 13052, 13054, 13055, and 13064 of, and to add Section 13026 to, the Water Code, relating to the control of water pollution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1517?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out ", and to add Section 13026 to,".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 8 to 13, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1517 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1517 ordered enrolled.

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1775?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 16 to 18, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1775 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

Assembly Bill No. 1775 ordered enrolled.

Assembly Bill No. 1892—An act to amend Sections 1593, 2561, 2802, and 2833 of, and to add Sections 2561.1, 2802.1, and 2833.1 to the Education Code, relating to the formation of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1892?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 20, 1951, after line 25, insert

"(1) The calling and conducting of elections for the assumption of bonded indebtedness."

Amendment No. 2

On page 2, lines 17 and 18, of said bill, as amended, strike out ", or union elementary school districts, or both", and insert "of any kind or class".

Amendment No. 3

On page 2 of said bill, as amended, strike out all of lines 26 to 29, inclusive, and insert "titioning. The superintendent of".

Amendment No. 4

On page 2 of said bill, as amended, beginning in line 42, strike out "or any combination thereof,"

Amendment No. 5

On page 2, line 51, of said bill, as amended, strike out "Nothing"; and strike out all of line 52; and on page 3 of said bill, strike out lines 1 to 6, inclusive; and in line 7, strike out "school districts."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1892 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1892 ordered enrolled.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2453?

Amendment No. 1

On page 1, line 16, of the printed bill, after "court.", insert "Authority to accept such surety bond shall include the authority to approve the same in accordance with instructions for the receipt, approval and transmittal of such bond previously issued by the presiding magistrate of the court having jurisdiction in the area in which such jail is situated."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "said code", and insert "the Penal Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2453 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan,

Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2453 ordered enrolled.

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2665?

Amendment No. 1

In line 13 of the printed bill, as amended in the Assembly on May 3, 1951, strike out the period, and insert "provided, however, that if two hours shall be inadequate for travel between the voter's polling place and his place of employment, then such additional time as is necessary, not to exceed one-half hour, shall be granted by the employer."

Amendment No. 2

In line 21 of said bill, as amended, strike out "two days prior thereto.", and insert "three working days prior thereto."

The roll was called, and the Assembly concurred in Senate amendments to Asembly Bill No. 2665 by the following vote:

AYES—Babbage, Belotti, Brown, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—43.

NOES—Beck, Berry, Burkhalter, George D. Collins, Condon, Cooke, Davis, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, and Parker—22.

Assembly Bill No. 2665 ordered enrolled.

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2929?

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Assembly on May 25, 1951, after the first "the", insert "registered".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2929 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2929 ordered enrolled.

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3392?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1951, strike out line 5; and in line 6, strike out "of judgment against him," and insert "days of

notice of entry of judgment against him, delivered to him in person or by mail to his last known address,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3392 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Silliman, Smith, Stanley, Waters, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 3392 ordered enrolled.

Assembly Bill No. 625—An act to add Section 101.5 to the Labor Code, relating to filing fees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 625?

Amendment No. 1

On page 1, line 5, of the printed bill, after "division.", insert "The amount ordinarily charged for such filing or recording shall be made a part of any judgment recovered by the division and shall be paid by the division if sufficient money is collected over and above the wages or demands actually due the claimants."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 625 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—56.

NOES—None.

Assembly Bill No. 625 ordered enrolled.

Assembly Bill No. 1051—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186.1, 1187.1, 1188.1, and 1189.1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194.1, and 1195.1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1 1199.2, 1200, 1200.1, 1201.1, and 1202.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Sections 3060 to the Civil Code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, and 1203 of said code; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1051?

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "and 1202.1", and insert "1202.1, and 1203.1".

Amendment No. 2

In line 12 of the title of said bill, as amended, strike out "said code", and insert "the Code of Civil Procedure".

Amendment No. 3

On page 1, line 8, of said bill, as amended, strike out "laborers and persons", and insert "persons and laborers".

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "equipment,".

Amendment No. 5

On page 2, line 41, of said bill, as amended, strike out the second comma.

Amendment No. 6

On page 3, line 10, of said bill, as amended, strike out "any of the preceding sections of this chapter", and insert "this chapter or in Section 3060 of the Civil Code or in Section 5463 of the Health and Safety Code".

Amendment No. 7

On page 5, line 43, of said bill, as amended, strike out "lienholder", and insert "lien claimant".

Amendment No. 8

On page 5, line 45, of said bill, as amended, strike out "lienholder or".

Amendment No. 9

On page 5, line 46, of said bill, as amended, after "which", insert "he".

Amendment No. 10

On page 6, line 44, of said bill, as amended, strike out "this", and insert "that".

Amendment No. 11

On page 9, line 5, of said bill, as amended, after "with", insert "the consent of".

Amendment No. 12

On page 11, line 13, of said bill, as amended, after "may", insert "file for".

Amendment No. 13

On page 12, line 19, of said bill, as amended, strike out "equipment", and insert "appliances".

Amendment No. 14

On page 13, line 11, of said bill, as amended, strike out "units", and insert "unit".

Amendment No. 15

On page 15, line 11, of said bill, as amended, strike out "first acquiring jurisdiction".

Amendment No. 16

On page 16, line 9, of said bill, as amended, strike out "materialmen", and insert "materialman".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1051 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1051 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. McGee asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to liens of mechanics and others, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 1, 1951

Honorable Patrick D. McGee
Assembly Chamber

Liens of Mechanics and Others—No. 8622

DEAR MR. MCGEE: You have asked that we compare the provisions of Assembly Bill No. 1051, as amended May 31, 1951, with the existing law relating to liens of mechanics and others to determine what, if any, changes would be made in such provisions if Assembly Bill No. 1051 is enacted, and have submitted a schedule indicating the source of the provisions in Assembly Bill No. 1051 and the differences between such provisions and the existing law for our verification.

We have made a detailed comparison of the provisions of Assembly Bill No. 1051 with the existing law, and have found that this bill would rearrange and reenact the existing law to improve clarity of expression and grammatical construction without substantive change.

The fact that Section 5 of the bill expresses the intent of the Legislature in enacting such bill, to accomplish a formal revision of the law without change in the meaning or substance thereof, would resolve any question of interpretation or construction which might arise by reason of the revision. The courts have consistently relied upon the express declaration of the intent of the Legislature, contained in a statute, as a guide to its interpretation and construction. Similar revisions and restatements of existing law, prepared by the California Code Commission, have been before the courts of this State, and have been construed as a restatement and continuation of existing law. (See *Sandstrom* vs. *Cal. Horse Racing Board* (1948), 31 Cal. 2d 401, 413; *So. Cal. Jockey Club* vs. *Cal. etc. Racing Bd.* (1950), 36 Adv. Cal. 107, 113.)

It is our opinion, therefore, that the provisions of Section 5 of the bill would avoid the effect of any unintentional changes which might arise by reason of the revision, and would require that the provisions of the bill be construed as a restatement and continuation of the existing law.

The attached memorandum contains the text of the schedule which you submitted, revised in accordance with our findings.

Very truly yours,
RALPH N. KLEPS
Legislative Counsel
By BERNARD CZESLA, Deputy

Assembly Bill No. 1051
Cross Reference Tables and Notes

Assembly Bill No. 1051, as amended May 31, 1951, repeals the existing provisions of the Code of Civil Procedure relating to mechanics' liens and would adopt new sections consolidating and clarifying the existing statutory provisions by the elimination of duplication, where possible, and breaking long, complicated sentences into shorter statements. The act also regroups the various provisions so that related matters are together.

The act, with the exceptions noted, uses language identical with existing provisions, and does not make any material change in existing substantive law. The proposed sections are identical with or differ from existing provisions, as follows:

Proposed Section:	*Sources and Differences, If Any:*
1181	First paragraph of Section 1183 except last clause of that paragraph. Miners omitted from list of persons entitled to a lien. (Miners' lien is separately provided for in new Section 3060, added to the Civil Code by Section 2 of the bill). For clarity the word "*on*" was added to the phrase "bestowing skill or other necessary services." Term "teams *and* power" changed to "teams *or* power." New section uses the term "work of improvement" and omits enumeration wharf, bridge, etc., which is covered by a later section defining work of improvement. Term "labor done *and* materials furnished" changed to "labor done *or* materials furnished." To the phrase "shall have a lien upon the property upon which they bestowed labor or furnished materials" added "or appliances," for the reason the next clause provided, in part, that the lien was measured by the value of the use of "such appliances." For clarity the phrase "whether at the instance of the owner" was changed to read "whether *done or furnished* at the instance of the owner." The unnecessary word "other" omitted from the phrase "instance of the owner or of any *other* person acting by his authority." In this section the punctuation has been changed to set off paranthetical matter by commas, and to place a comma before the connecting word joining the last item with other items enumerated in a series. The two changes of "and" to "or" is a recognition of the present rule that liens arise for teams furnished *or* any other kind of power, and labor done either separately or in connection with furnishing materials.
1182 (a)	Definition of "work of improvement" and is a restatement of the portions omitted in the new Section 1181 from present Section 1183 as noted above, and covers the identical matters, in a brief direct statement.
1182 (b)	Definition of work of improvement to mean entire scheme and identical with first clause of the last paragraph of Section 1187.

Proposed Section:	*Sources and Differences, If Any:*
1182 (c)	Definition of "agent of owner" taken from last clause of the first paragraph of Section 1183, and the second paragraph of Section 1191 (a). Term "work of improvement" used in place of "improvement", no change as definitions identical.
1183.1 (a)	Identical with Section 1185, except the reference to Section 1192 is corrected to refer to Section 1183.1 (b).
1183.1 (b)	Identical with Section 1192 except references changed to refer to new sections.
1184.1	Identical with first clause of first paragraph of 1191 (a).
1185.1 (a)	First sentence of the third paragraph of Section 1183. This one long sentence is broken down into three separate sentences, and as a result some grammatical changes are made, but no change made in the substance of the original text.
1185.1 (b)	Second sentence of the third paragraph of Section 1183. Unnecessary punctuation omitted. Term "such original contract" was properly changed to "an original contract" as original contract is not defined in this section. Term "giving of such actual notice" changed to "giving of actual notice of the provisions" to show what the notice covered.
1185.1 (c)	From third sentence of the third paragraph of Section 1183. Phrase "which bond shall *be* in addition to * * * be also conditioned" changed to omit the first "*be*" which is unnecessary. The word "*so*" was omitted from the phrase "be made to inure * * * *so* as to give such persons a right of action". In addition punctuation changed by omitting unnecessary commas, and adding commas preceding the connecting word of items stated in series.
1185.1 (d)	Identical with last paragraph of Section 1183.
1186.1 (a)	Identical with first clause of Section 1193.
1186.1 (b)	From remaining portions of Section 1193 except last sentence. The only changes resulted from breaking the matters into two sentences, but using identical phraseology.
1186.1 (c)	Identical with the last sentence of Section 1193.
1187.1	Identical with Section 1201.
1188.1	From Section 1186. The exception added by the phrase "except as otherwise in this article provided" merely recognizes the statutory exceptions in the code, e g. 1191 (c). The term "lienholder" changed to "lien claimant", a more accurate description. The last two lines are rephrased, to include "appliances or power" and to change "improvement with which" to "improvement on which".
1189.1 (a)	Identical with Section 1191 (b) except "this section" changed to "that section" to properly refer to new section 1184.1.
1189.1 (b)	From Section 1191 (c), except last two sentences which are covered by Section 1200.1 (f). The only changes being the elimination of unnecessary commas and correcting references to other sections.

Proposed Section:	*Sources and Differences, If Any:*
1190.1 (a)	From first sentence of Section 1184. The only changes being the elimination of unnecessary commas, and correcting references to other sections to state the new numbers.
1190.1 (b)	From the second, third and fourth sentences of Section 1184. In the new section State and the names of the various agencies were capitalized.
1190.1 (c)	From the last sentence of the first paragraph of Section 1184. The only change being the elimination of an unnecessary comma.
1190.1 (d)	Identical with Section 1184 b, except the elimination of an unnecessary comma.
1190.1 (e)	Combines the provision of Section 1184 c, forfeiture of right to participate in distribution, and first sentence of Section 1202, forfeiture of lien.
1190.1 (f)	From balance of Section 1184 c. Corrects cross-references to other sections and acts. The term "surety or sureties on his bond" shortened to "his sureties".
1190.1 (g)	Identical with last paragraph of Section 1184, except for capitalizing "State".
1191.1	From Section 1184 d. References to other sections corrected to show new numbers. The long phrase "controller, auditor or other public disbursing officer * * * commissioner, managers, trustees, officers, board of supervisors, board of trustees, common council or other body" was shortened, as had had been done in that and other sections, to "public agency, body, or officer".
1192.1 (a)	From Section 1184 e. Corrects cross-reference to new section numbers and uses the short phrase "public agency, body or officer".
1192.1 (b)	Second paragraph of Section 1184 e. Corrects reference to new section numbers, and the word "and" added where formerly no connecting word used when enumerating items in series.
1192.1 (c)	Third paragraph of Section 1184 e. Corrects references to new section numbers.
1192.1 (d)	Fourth paragraph of Section 1184 e. No change.
1192.1 (e)	Fifth paragraph of Section 1184 e. No change.
1192.1 (f)	Sixth paragraph of Section 1184 e, a comma being inserted prior to the connecting word of items listed in series.
1193.1 (a)	First paragraph of Section 1187. No change.
1193.1 (b)	Second paragraph of Section 1187. No change.
1193.1 (c)	Third paragraph of Section 1187 except provision relating to fee for recording covered by new Section 1203.1.
1193.1 (d)	Fourth paragraph of Section 1187. No change.
1193.1 (e)	Fifth paragraph of Section 1187. No change.

Proposed Section:	*Sources and Differences, If Any:*
1193.1 (f)	Last clause of first paragraph of Section 1191 (a) rephrased to make a complete sentence.
1193.1 (g)	Last sentence of Section 1202. The word "appliances" is added.
1194.1 (a)	From Section 1188 except two proviso's covered by new Section 1194.1 (b). Commas were added to set off parenthetical matter and to separate items listed in series.
1194.1 (b)	The two proviso's of 1188 (See above). No change.
1195.1	Last paragraph of Section 1187. Rephrased for grammatical reasons, but covering identical matters. Cross reference corrected.
1196.1	Section 1203. No change.
1197 1 (a)	First two sentences of Section 1184 a. Changes "any *such* claim" to "any claim", and adds cross reference to identify claim.
1197.1 (b)	Third sentence of Section 1184 a, corrects cross-reference to new section numbers.
1197.1 (c)	Fourth sentence of Section 1184 a. No change.
1197.1 (d)	Fifth sentence of Section 1184 a. No change.
1198.1 (a)	From first paragraph of Section 1190. Phrase "except as hereinafter provided" added, to recognize the existing exception in the statute. The provisions relating to the lien period have been rephrased to clarify provisions.
1198 1 (b)	Second paragraph of Section 1190. No change.
1199.1	Section 1195. Provision relating to costs rephrased to clarify provision and improve grammatical construction.
1199.2	Section 1194. No change.
1200.	From Section 1197. Omits unnecessary comma in "execution, therefor".
1200.1 (a)	A rephrasing of the third sentence of the third paragraph of Section 1183 and the third sentence of 1191 (c).
1200.1 (b)	Last sentence of the third paragraph of Section 1183. No change.
1200.1 (c)	From fourth paragraph of Section 1183. Changes cross-reference to refer to new section numbers.
1200.1 (d)	From fifth paragraph of Section 1183 except the last sentence of that paragraph. No change
1200.1 (e)	Last sentence of the fifth paragraph of Section 1183. No change
1200.1 (f)	From the last sentence of Section 1191 (c). Reworded without changing substantive matter.
1201.1 (a)	Section 1198. No change.
1201.1 (b)	From Section 1199. No change.
1202.1	Section 1196. No change.

Proposed Section:	*Sources and Differences, If Any:*
1203.1	Covers fees of the county recorder originally the last sentence of the third paragraph of Section 1187. There has been added a statement of the duties of the recorder, consistent with the existing provisions prescribed by Sections 1169 to 1172, incl., of the Civil Code, and Chapter 6 of Part 3, Division 1, Title 3 of the Government Code.
3060, Civil Code	From second paragraph of Section 1183. The placing of this section in the Civil Code required the addition of the manner of enforcement, presently contained in Section 1198.
5463, Health and Safety Code	From Section 1191 a and Section 1191 b. A shorter and more direct re-statement of such provisions without change in any substantive law.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1293?

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 15, inclusive, and insert

"(1) Ten years have elapsed since the date of the filing of the first paper in such action or proceeding and 10 years have elapsed since the filing of any other paper therein and the records of the county clerk do not show that the action or proceeding is pending on appeal in any court, except that transcripts of coroner's inquests, depositions and transcripts of preliminary hearings may be destroyed, as herein provided, when five years have elapsed since the filing thereof in the office of the county clerk and the action or proceeding in which they were filed is not pending or on appeal in any court; and".

Amendment No. 2

On page 1, line 21, of the printed bill, as amended in the Senate on June 1, 1951, after "and", insert "when the written consent of the district attorney is first obtained".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1293 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1293 ordered enrolled.

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1819?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "for", and insert "or".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1819 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 1819 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 370

Mr. George D. Collins asked for, and was granted, unanimous consent to take up the consideration of Senate amendment to Assembly Bill No. 370, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 370?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on May 7, 1951, after "title", insert ", but such waiver may be renewed for a further period of not exceeding four years upon the expiration of the immediately preceding waiver. Such waivers may be made successively."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 370 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 370 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3017

Mr. Silliman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 3017, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of

the Government Code, relating to state employment, in respect to pay roll procedure.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3017?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1951, strike out all of lines 6 and 7, and insert

"12470. In conformity with the accounting system prescribed by the Department of Finance pursuant to Section 13290, the Controller shall install and operate a uniform state pay roll".

Amendment No. 2

On page 1, line 8, of said bill, as amended, after "University of California", insert "and the Department of Public Works".

Amendment No. 3

On page 1, line 16, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 2 of said bill, as amended, strike out all of lines 12 to 26, inclusive.

Amendment No. 5

On page 2, line 27, of said bill, as amended, strike out "12475", and insert "12474".

Amendment No. 6

On page 2, line 33, of said bill, as amended, strike out "12476", and insert "12475".

Amendment No. 7

On page 2, line 41, of said bill, as amended, strike out "12477", and insert "12476".

Amendment No. 8

On page 2, line 47, of said bill, as amended, strike out "12478", and insert "12477".

Amendment No. 9

On page 2, line 34, of the printed bill, as amended in the Senate on May 24, 1951, after "California", insert "and the Department of Public Works".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3017 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—Cooke and Silliman—2.

Assembly Bill No. 3017 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 954	Assembly Bill No. 1486
Assembly Bill No. 955	Assembly Bill No. 1487
Assembly Bill No 1162	Assembly Bill No. 2367
Assembly Bill No. 1483	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 88

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 494
Assembly Bill No. 1980
Assembly Bill No. 2501
Assembly Bill No. 3245

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3446

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2
Assembly Bill No. 712
Assembly Bill No. 1416
Assembly Bill No. 2384

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2825

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3443

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 848
Senate Bill No. 597
Senate Bill No. 850

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 416

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 927
Assembly Bill No. 1635
Assembly Bill No. 3131
Assembly Bill No. 3132

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1507

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 1809
Senate Bill No. 1812

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1085

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1020
Assembly Bill No. 1708
Assembly Bill No. 3438

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2947

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2544

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 465

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 315
Senate Bill No. 1527

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 172

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 88

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 171

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1914
Assembly Bill No. 2479

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1060

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 122
Senate Bill No. 212
Senate Bill No. 537
Senate Bill No. 538

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1215
Assembly Bill No 2134

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3453

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1308
Assembly Bill No. 1802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1309

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1524

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2034
Assembly Bill No. 3011
Assembly Bill No. 3247
Assembly Bill No. 3248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 431
Senate Bill No. 598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ANNOUNCEMENT

Mr. Burkhalter announced that a luncheon will be held today, upon recess for the members of the Los Angeles County Delegation at the Hotel Senator, in the Jubilee Room.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 3217 was taken up.

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read third time.

Motion for Committee of the Whole

Mr. Beck moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 3217.

Mr. Lowrey seconded the motion.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Sam L. Collins presiding.

Assembly Bill No. 3217 considered.

RECESS

At 12.10 p.m., on motion of Mr. Beck, the Committee of the Whole recessed until 2 p.m.

REASSEMBLED IN COMMITTEE OF THE WHOLE

At 2 p.m., the Committee of the Whole reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Further consideration of Assembly Bill No. 3217.

On motion of Mr. Geddes, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Sam L. Collins presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No. 3217.

SAM L. COLLINS, Chairman

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3217

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

The question being on the passage of Assembly Bill No. 3217.

Motion That Proposed Amendments Be Printed in Journal Without Action

Mr. Geddes moved that all proposed amendments to Assembly Bill No. 3217 pending at the desk be ordered printed in the Journal, without action, at this time.

Mr. Beck seconded the motion.

Motion carried.

Proposed Amendments to Assembly Bill No. 3217 by Mr. Beck

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out ", and".

Amendment No. 2

In the second line of the title of said bill, strike out "to add Chapter 7 to Title 6 of".

Amendment No. 3

On page 1, line 10, of said bill, strike out "no equitable method", and insert "need of better methods".

Amendment No. 4

On page 2 of said bill, between lines 3 and 4, insert

"To a great extent, this tax inequity is offset by the provision of county services within incorporated cities in greater proportion than the contributions through taxes are made by the residents of cities to the support of such services. Outstanding among such county services are the various social welfare programs and the use of the county hospital for the indigent sick. Only an impartial investigation by the Legislature, through extensive interim committee study and hearings can determine the extent of this offset and of the tax inequity mentioned in the preceding paragraph."

Amendment No. 5

On page 2, line 24, of said bill, strike out "January 1", and insert "September 30".

Amendment No. 6

On page 2, line 36, of said bill, strike out "agricultural".

Amendment No. 7

On page 3 of said bill, strike out lines 31 to 52, inclusive.

Amendment No. 8

On page 4 of said bill, strike out lines 1 to 36, inclusive.

Amendment No. 9

On page 4, line 37, of said bill, strike out "25268. At any time before July 1, 1952", and insert

"25264. At any time before January 1, 1953".

Amendment No. 10

On page 4, line 43, of said bill, strike out "If, at such hearing, the board determines by resolu-", and insert "At such hearing, the board may determine by resolu-".

Amendment No. 11

On page 4, line 46, of said bill, strike out ", the county", and insert a period.

Amendment No. 12

On page 4 of said bill, strike out lines 47 to 49, inclusive.

Proposed Amendments to Assembly Bill No. 3217 by Mr. Munnell

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "On or before January 1, 1953, the ", and insert

"The".

Amendment No. 2

On page 2, line 25, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 2, line 28, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 44, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 5

On page 2, line 51, of the printed bill, as amended, strike out "shall", and insert "may".

Proposed Amendments to Assembly Bill No. 3217 by Mr. Lanterman

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 1, 1951, between lines 34 and 35, insert

"SEC 4. Chapter 7 is added to Title 6 of the Government Code to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. General Purposes

60500. The purpose of this chapter is to facilitate the administration of county governmental functions in unincorporated territory and to increase the efficiency of county governmental affairs by providing for more effective local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, libraries, and other functions under the authority of county boards of supervisors through the establishment of urban districts within unincorporated territory having a simple and direct access to and from the county board of supervisors and the officers and administrative districts of the county and to and from cities adjacent to such districts.

Article 2 Petition and Hearing

60510. Urban districts consisting of *150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside* may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513 The petition must:

(a) State the proposed name for the district in substantially the following form:

_____ (filling in the blank) Urban District of _____ (filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516 The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518 At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the *proposed district*, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district.

Article 4. Powers of District

60540 Any urban district incorporated, as herein provided, shall have power

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis, *and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district.*

Third: To contract, *on an annual basis* either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such *urban district or urban districts, of all such urban services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district. All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors.*

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required *; provided, that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable.*

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for *a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof.*

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen.

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553. Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555. The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication. The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct.

60556 At the first election the ballot shall be in the following form

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor

60558 Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of selectman for the term commencing on the following January 2d. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire.

60559 If there are less than three hundred residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized. Each selectman so appointed shall serve for a term

of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment. The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment. Thereafter vacancies on the board shall be filled by appointment by the board of supervisors.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen.

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction.

60564. The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the district.

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof. If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them. Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget.

60566. The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7. District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933."

Article 8. Changes in District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district.

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a

newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections; provided, that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required

60593 The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594. Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595 The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598. Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. No *portion of the* territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

60602. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located.

Amendment No. 2

On page 5, line 6, of said bill, strike out "such costs", and insert "the cost of special urban services".

Amendment No. 3

On page 6, lines 7 and 8, of said bill, strike out "the entire unincorporated area or", and insert "several".

Amendment No. 4

On page 6, line 40, of said bill, after "city," insert ", urban district".

Amendment No. 5

On page 7 of said bill, strike out line 14, and insert "or annexation, or in an urban district, such portion shall be withdrawn from such special service zone. All".

Amendment No. 6

On page 7, line 17, of said bill, after "city", insert "or urban district".

Amendment No. 7

On page 3, line 36, of said bill, strike out the semicolon; and strike out lines 37 to 50, inclusive, and insert "as are in addition to those which the county is legally obligated to provide within the urban unincorporated area of the county."

Amendment No. 8

On page 7 of said bill, strike out lines 5 and 6, and insert "upon all taxable property".

REMARKS ON CONDITION OF THE FILE

Mr Sherwin spoke on the condition of the file.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Sherwin asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Ways and Means tomorrow, Friday, June 8th, at 10 a.m.

Subject: All proposed Senate changes to the Budget Bill.

NOTICE OF MOTION TO AMEND STANDING RULES BY SPEAKER SAM L. COLLINS

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on June 8, 1951, I will make a motion to add Rule No. 9 to the Standing Rules of the Assembly, as amended on June 4, 1951, as follows:

RULE 9 TO READ:

"The Speaker pro Tempore of the Assembly shall act for the Speaker as Chairman of the Committee on Rules whenever the Speaker is unable, because of absence or otherwise, to perform in that capacity, or whenever the Speaker may request or assign the Speaker pro Tempore to do so."

SAM L. COLLINS

REQUESTS FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO MAKE CHANGES IN AMENDMENTS

Mr. Lanterman asked for, and was granted, unanimous consent that the Chief Clerk be authorized and instructed to make any and all changes in the amendments adopted to Assembly Bill No. 314 today on second reading, in order to avoid duplication of language.

Mr. Silliman asked for, and was granted, unanimous consent that the Chief Clerk be authorized and instructed to make any and all changes in the amendments adopted to Assembly Bill No. 2301 today on second reading, in order that these amendments may fit the bill.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1162

Mr. Davis asked for, and was granted, unanimous consent to take up Assembly Bill No. 1162, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1162

Assembly Bill No. 1162—An act to amend Section 1203.10 of the Penal Code, relating to probation reports.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 6, 1951, strike out "Sections 1203 and 1203.10", and insert "Section 1203".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 1203 of the Penal Code is amended to read:"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 7, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1240, entitled: "An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor."

My objection to this bill is as follows:

It is a duplicate of Section 15 of Assembly Bill No 813, which bill has previously been signed and is now Chapter 838, Statutes of 1951. No purpose would be served by approving this bill.

This situation has been discussed with the author and he is agreeable to the return of the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1240

June 7, 1951

I acknowledge receipt this seventh day of June, 1951, at 2 50 o'clock p.m. of Assembly Bill No 1240, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1464

Mr. Grant asked for, and was granted, unanimous consent to take up consideration of the report of the Committee on Conference concerning Assembly Bill No. 1464, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 5, line 36, of the printed bill, as amended in the Senate on May 28, 1951, strike out "Two", and insert "Four".

Amendment No. 2

On page 9, line 32, of said bill, strike out "attending".

Amendment No. 3

On page 9, line 36, of said bill, strike out "the marshals", and insert "those marshals".

Amendment No. 4

On page 9, line 37, of said bill, after "1925", insert "and holding office on June 1, 1951, who have had at least fifteen years experience as marshal, deputy marshal, constable, deputy constable, deputy sheriff or any combination of these positions, within the county".

Amendment No. 5

On page 10, line 5, of said bill, after the period, insert

"A branch office of the Marshal of Municipal Courts, Los Angeles County shall be maintained in each municipal court district".

Amendment No. 6

On page 10, line 13, of said bill, strike out "such person", and insert "any person".

Amendment No. 7

On page 10, line 19, of said bill, strike out "Six", and insert "Eight".

Amendment No. 8

On page 10, line 21, of said bill, strike out "Eight", and insert "Ten".

TENNEY	GRANT
WATSON	MUNNELL
BUSCH	ROSENTHAL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—Lowrey—1.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 2693

Mr. Geddes asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Monday, April 23d, passed Assembly Bill No. 2693.

Assembly Bill No. 2693 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2693, on motion of Mr. Geddes.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3088 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 3088 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Legislative Representation.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Messrs. Thomas and Gaffney asked for, and were granted, unanimous consent that the following communication be ordered printed in the Journal, in 10 point type, as follows:

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF INDUSTRIAL SAFETY
SAN FRANCISCO, June 5, 1951

Honorable Vincent Thomas and Edward M. Gaffney
Members of Assembly, State Capitol
Sacramento 14, California

SUBJECT: ASSEMBLY BILL NO. 2737, AS AMENDED MAY 24, 1951

DEAR MR. THOMAS: This will confirm our telephone conversation of June 1, 1951, concerning the above-mentioned bill.

I have conferred with the director of the department on this matter, who has indicated that there is no doubt the Industrial Safety Board will agree to schedule hearings as soon as possible for the purpose of considering safety orders applicable to longshore dock activities

You will recall that mention has been made of the fact that the Federal Government, through the Bureau of Labor Standards of the U. S. Department of Labor, is currently considering preparing a set of safety standards in collaboration with the states, employers and labor unions, which will be uniform and will include the shipside operations which is under the Federal Government's jurisdiction. Preliminary discussions have been held on this subject and it is expected that further work will be done within the next several months.

It is important, of course, that those operations which are under the jurisdiction of the State have standards which do not conflict with those that might be established for operations being conducted on the ships.

Preparatory work can be undertaken, however, for those operations which are under the jurisdiction of this department, and as you have suggested, this division will undertake this work just as soon as possible.

Cordially yours,

A. C. BLACKMAN, Chief
Division of Industrial Safety

c.c. Hon. Edward M Gaffney, Member of the Assembly, Sacramento, California.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Bill No. 2712, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2712

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1951, strike out "to add Sections 6 and 7 to an act entitled "An act pro-".

Amendment No. 2

In the title of said bill, strike out lines 2 to 5, inclusive; and in line 6, strike out "tion," approved July 28, 1949,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive; and in line 6, strike out "000,000)", and insert

"SECTION 1. The sum of one million one hundred and fifty thousand dollars ($1,150,000) is hereby appropriated out of any money not otherwise appropriated in the Postwar Unemployment and Construction Fund, or, in the event that such amount of money is not available therefrom, then to the extent not so available out of any money not otherwise appropriated in the General Fund, to the State Water Resources Board for allocation".

Amendment No. 4

On page 1, lines 6 and 7, of said bill, strike out "experimental and other".

Amendment No. 5

On page 1, line 10, of said bill, strike out ". Expenditure", and insert ", subject to the following conditions and limitations:

(a) Moneys equal to or in excess of the amount expendable from this appropriation for such work shall be made available (by a political subdivision, public district, municipality, county, or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the Executive Department of the State Government) for expenditure for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from public sources other than the State Treasury or funds of any agency which is a part of the Executive Department of the State Government.

(b) Moneys shall be allocated subject to such conditions as the board may prescribe as necessary to protect the interests of the State including necessary inspections to insure compliance with other conditions.

Expenditure".

Amendment No. 6

On page 1 of said bill, strike out line 16, and insert

"SEC. 2. Out of any money appropriated to the State Water Resources Board by this act, the board may allocate from time to time such sums as it may find necessary or expedient for expenditure by the Department of Public Works, acting through the State Engineer, for investigational work and study with the objective of formulating plans and design criteria for correction or prevention of damage to underground waters of the State by sea water intrusion in the West Coast Basin of Los Angeles County and other critical coastal areas The cost of such investigation and study shall include the cost of providing water, water injection wells, observation wells, water spreading grounds, pipe lines, equipment, rights of way, and other facilities necessary to introduce water into the water bearing aquifers. The department is

authorized to cooperate and contract with the Los Angeles County Flood Control District, the West Basin Municipal Water District, and any other public or private corporation or agency for the purpose of this act.

The conditions and limitations prescribed in subdivision (a) of Section 1 shall not apply to allocations made pursuant to this section."

Amendment No. 7

On page 1, line 17, of said bill, strike out "7", and insert "3".

Amendment No. 8

On page 1, lines 17, 18, and 19, of said bill, strike out "to the State Water Pollution Control Fund, the State Water Pollution Control Board", and insert "to the State Water Resources Board by this act, the board".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3323, on request of Mr. McCarthy.

Assembly Bill No. 2220, on request of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1586

Mr. Levering asked for, and was granted, unanimous consent to take up Senate Bill No. 1586, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1586

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 24, 1951, strike out ", and to repeal Sections 1507, 2003, 3001, and 3401 of,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2249

Mr. Burke asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2249, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2249?

Amendment No. 1

In line 2 of the title of the printed bill, after "taxes", insert ", and to validate elections relating thereto".

Amendment No. 2

On page 1 of said bill, strike out lines 5, 6, and 7 and insert "election to reduce the rate of such tax."

Amendment No. 3

On page 1 of said bill, between lines 12 and 13, insert "in the _____ (name of district) shall be reduced from _____ to _____ _____ Yes." and "The excess tax rate now in effect in the _____ (name of district) shall be reduced from _____ to _____ _____ No."

A majority of "Yes" votes will authorize the reduction of rate. A majority of "No" votes shall reject such proposed reduction of rate.

SEC. 2. Elections held between July 1, 1950, and the effective date of this act for the purpose of changing the amount of any increase over the maximum tax rate, after such increase has been authorized pursuant to Section 6358, and changing the purpose for which such excess may be expended are hereby ratified, confirmed, and validated."

Amendment No. 4

On page 1 of said bill, strike out lines 13 to 28, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2249 by the following vote:

AYES—Beck, George D. Collins, Gaffney, Geddes, Kirkwood, and Waters—6.

NOES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

Appointment of Committee on Conference Concerning Assembly Bill No. 2249

The Speaker announced the appointment of Messrs. Kirkwood, Doyle, and Burke as a Committee on Conference concerning Assembly Bill No. 2249.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1562

Mr. Geddes asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1562, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1562—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1562?

Amendment No. 1

On page 2 of the printed bill, after line 15, insert

"SEC. 3. This act shall not become operative until July 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1562 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1562 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burkhalter, Grant, Thomas, Hollibaugh, and Munnell:

House Resolution No. 176

Relative to the creation of the Assembly Investigating Committee on Traffic Control

WHEREAS, The studies and investigations of the Assembly Investigating Committee on Traffic Control, created by House Resolution No. 233 of the 1949 Regular Session, relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and allied problems, have not been completed; and

WHEREAS, The subject of transportation is even more critical under our national defense program; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Traffic Control is hereby recreated and authorized and directed to ascertain, study and analyze all facts relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and any allied problems, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments in Room 435, at the call of the Chair on Friday, June 8th.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1848

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1464 ordered enrolled.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
ROOM 222, STATE CAPITOL, SACRAMENTO, June 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Correspondents Association has examined application for temporary credentials as accredited press representative and recommends the following action:

Approved for Press Card Terminating June 16th

This Week Magazine—Jack H. Pollack.

Sincerely,

EARL C. BERHENS, President

ACTION RATIFIED

By unanimous consent, the action taken by the Capitol Correspondents Association of California was ratified by the Assembly.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2, 712, 1416, 2384, and 2825 re-referred to the Committee on Judiciary.

Senate Bill No. 1200 re-referred to the Committee on Ways and Means.

Senate Bill No. 1560 re-referred to the Committee on Judiciary.

Senate Bill No. 634 re-referred to the Committee on Boards and Commissions.

RESOLUTIONS

The following resolution was offered:

By Mr. McMillan:

House Resolution No. 177

Relative to the Assembly Committee on Boards and Commissions

WHEREAS, Each session of the Legislature is confronted with numerous bills and demands for bills to regulate various matters involving public morals including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar matter, and

WHEREAS, At the 1951 Session of the Legislature bills, and requests for bills, designed to curb, prevent or regulate these matters failed of enactment because the Legislature had insufficient data thereon to enable it to legislate intelligently; and

WHEREAS, To meet this need for information it has been determined by the Assembly to constitute the standing committees of the Assembly interim committees in order that at the next session of the Legislature the Assembly may be fully apprised of such facts; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to.

(a) Conduct a comprehensive study of all facts and conditions necessary to enable the Assembly to determine whether further legislation to prevent or punish sex perversion in relation to crimes of violence is needed, and, if so, the type of legislation which will be most effective.

(b) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(c) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(d) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any other place in this State or within the United States

5 The sum of ten thousand dollars ($10 000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider Assembly Bill No. 1731 lapsed.

Assembly Bill No. 1731 ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Revenue and Taxation, in Room 3186.
Civil Service and State Personnel, in Room 426.

At 8.30 p.m.—

Industrial Relations, in Assembly Chamber.

Today Upon Adjournment—

Transportation and Commerce, in Room 3184.
Subcommittee on Ways and Means, in Room 435.
Rules, in Room 319.
Los Angeles County Delegation, in Room 3148. Subject: Municipal Court Bills.

Next Monday, June 11th, At 8 p.m.—

Municipal and County Government, in Room 2170.

It was announced that the following committee would hold no meeting today:

Municipal and County Government.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Willard H. Van Dyke, teacher, and the following pupils of the Tamalpais Union High School of Mill Valley: Karolee Peters, Jeannette Fong, Paul Knoles, and Harold Engle.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jas. A. Sampson and Mrs. B. Sosnick of San Jose.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harry Geballe and Mrs. Louis Hoffman of San Mateo.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to the following Members of the National Council of Jewish Women of Modesto: Mrs. Arthur Friedman, Mrs. Ed. Zeitlen, Mrs. Bernard Zall, Mrs. Morris Kirschen, and Mrs. Jules Loeb; and Mrs. Leon Morse and Mrs. Sidney Schnoclank of San Francisco.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Charles Nadler, teacher, Mrs. R. W. Dumm, Mrs. R. M. Wylie, Mrs. C. Zalkind, and Mrs. C. W. Tatum, adults, and the following pupils of the Sacramento Junior High School: Lee Amaden, Jane Armstrong, Betty Azevedo, Gail Barnum, James Bilger, Jerry Brannigan, Billy Cotter, Catherine Cronin, Rickey Dias, Janet Dumm, Gordon Fisher, Wilbur Fisher, Beverly Given, Larry Hue, Diane Jenkins, Dixie Johnson, Jean Johnson, Paula

Kantlehner, Joanne Knowles, Betty LaForce, Earle Landau, Dick Lauer, Bobby Logan, Catherine Lowe, Ted Morris, Joan Pritchard, Donn Reiners, Ann Rhodes, Charles Sullivan, Mary Sue Tatum, Kenneth Thomas, Joanne Ward, Sandra Barry, Larry Bernard, Norman Bunas, Tommy Dunow, Gail Daniels, William DeLacy, Deanna Gates, Adele Larison, Richard Jacinto, Julie Johnson, Paul Lafferty, Anna Lou Larmer, Mae Quan, Richard Steward, Ben Swesey, Gordon Takahashi, Barbara Theodore, Ronald Tochterman, Pat Taylor, Joan Weeks, Bruce Weiman, Barbara White, Jannice White, Marcia White, Allen Wimberley, Donna Wolfe, Carol Jean Wylie, Elliott Wyman, and Arlene Zalkind.

On request of Mr. Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Perry, Mrs. DeLaughter, Mrs. Berger, Mr. Adams, and Mr. Larcher, teachers, and the following pupils of the Covington School of Los Altos: George A., John A., Jack C., Bud C., Dick D., Ronald P., Salvadore P., George R., Richard S., Cathy B., Jayanne B., Diane B., Carol C., Carolyn D., Margaret G., Barbara H., Louise H., Donna H., Terry J., Merrilee K., Carolina L., Arlene M., Patty McG., Joan O., Barbara R., Barbara S., Joanne W., Jane W., Mary Beth A., Gail B., Molly C., Linda C., Rae D., Charlie E., Jimmy E., David F., Dennie G., Joyce G., Jay J., Harold K., Tom L., Roberta L., Pat N., Cleo R., Mathew S., Cynthia T., Lorna W., Tom M., Ann P., Janice W., Janette E., Sharon A., David A., Tom B., Bob B., Jim D., Marlene D., Robert F., John H., Patrice H., David K., Sandra McD., Ken McK., James R., Donna S., Sonja S., Polly S., Bill S., Arlene T., Russel G., Beverly M., Barbara H., Don B., David C., Ronald D., Richard H., Russel K., Duane K., Charles P., Tony P., John R., Buddy S., Tom S., Ronald T., Jim G., Janice A., Beverly B., Gail B., Sandra H., Diane M., Laura R., John R., Wallis R., Sue R., Evelyn R., Jeanne S., Susan T., Judy T., Marie W., and Mary Jo Z.

On request of Messrs. Klocksiem and Grant, the usual courtesies of the Assembly for this day were unanimously extended to Joseph B. Lamb of Long Beach.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clyde Herr, Jr., of Watsonville.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. C. E. Miller of San Jose.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Suzanne Johnson of Oakland and Mrs. Walter Johnson of San Francisco.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Capt. Glen E. Deane, U. S. Army, of Oakland.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. Byron Rumford and Mrs. Rebecca Carrington, of Oakland and Mrs. R. Arrington of Washington, D. C.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Ivo J. Lopizich, of Los Angeles and Arthur A. Gottlieb of Norwalk.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Ed. Carty of Oxnard.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Olin S Grove, R. V. Smith, Alex J. Slivka, John Van Zant and John Perry, Jr., of San Francisco.

On request of Messrs. Connolly, Maloney, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of Marina and Francisco Junior High School: Tilly de Hes, Joy Stucker, Barbara Tarantino, Richard Brown, David Berosh, and Jim Ryan.

On request of Messrs. Connolly and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to the following delegation from the Marina Boosters, Inc., of San Francisco, celebrating "Marina Day in Sacramento": Mrs. Henry F. Budde, Henry J. Budde, Mr. and Mrs. C. Wunner, Mr. and Mrs. Henry C. Wreden, Leo Girimonte, Sandra Spitzer, Joan Gottschalk, Mr. and Mrs. Edgar H. Brownstone, Mr. and Mrs. Tom Spears, Seymour J. Saltz, Jack Solomon, Ruth Cessna, Marquesa Cessna, Art Zimmerman, Annie Scanlon, Arthur Poheim, and Margaret E. Pordon.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Leon Morse, Mrs. Max Grabstein, Mrs. Richard Simon, and Mrs. Sidney Schrenlank of San Francisco.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to June Durm and Nora McPherson, teachers, and the following pupils of the Hunters Point I School: Lola Ricard, Mary Robinson, James Santiago, Ernest Santos, Robert Sims, Joyce Sinclair, Larry Smith, Donald Spisak, John Stokes, Louise Swayze, Frank Torres, Nathaniel Tyner, Sherril Wada, Shirley Wallace, Martha Watkins, John Williams, Ronnie Wills, Diana Aguero, Ronald Anderson, Judy Badaracco, Alfred Blevins, Patricia Bridgewater, Roland Brown, Aquilla Browner, Barbara Bryant, Rodney Carlisle, William Colbert, Alfred Collier, Joyann Covington, Herman Cumins, Alfred Dendy, Michael Draper, Cynthia Droege, A. D. Graves, Richard Harold, Reginald McCarthy, Sandra Montgomery, Robert Ogawa, and William Ogden.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 8, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 8, 1951

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, King of Kings and Lord of Lords, From whom proceed all power and dominion in Heaven and earth, we seek Thy favor and Thy blessing Guide the President of the United States, the Governor of this State, the Speaker and members of this Assembly and all others in places of authority.

Imbue our leaders with the spirit of wisdom, goodness and truth that law and order, justice and peace may everywhere prevail.

O Ruler of the Universal sphere,
Help us to crush all paralysing fear
Give wisdom that our puny lives may know
A broadening spirit that shall build and grow
Into a workable, efficient plan,
Triumphant in the government of man.

Through Jesus Christ our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clarke, further reading of the Journal of the previous legislative day was dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 940
Assembly Bill No. 966
Assembly Bill No. 3300
Assembly Bill No. 3445

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 820

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators James E. Cunningham, Harold T. Johnson, and Sutton as a Second Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county central committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Hoffman, Harold T. Johnson, and James E. Cunningham, as a Committee on Conference concerning:

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Hulse, and Ed. C. Johnson, as a Committee on Conference concerning:

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 61
Assembly Bill No. 206
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 1052
Assembly Bill No. 1752
Assembly Bill No. 2629
Assembly Bill No. 2648

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 212	Assembly Bill No. 1836
Assembly Bill No. 546	Assembly Bill No. 2001
Assembly Bill No. 629	Assembly Bill No. 2047
Assembly Bill No. 908	Assembly Bill No. 2211
Assembly Bill No. 926	Assembly Bill No. 3341
Assembly Bill No. 1242	Assembly Bill No. 3364

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 78

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 78—Relative to a study of glutinous rice by the University of California Experimental Station, Department of Food Technology.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 347
Senate Bill No. 641
Senate Bill No. 871

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 347—An act to amend Sections 1075, 1331, and 2006 of the Streets and Highways Code, relating to county road commissioners.

Referred to Committee on Municipal and County Government.

Senate Bill No. 641—An act to Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Judiciary.

Senate Bill No. 871—An act to amend Section 209 of the Penal Code, relating to kidnaping and the punishment therefor.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1215—An act to add Articles 3 and 4 to Chapter 5, Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedure, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2134—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable either from revenues from such parking places or from revenues from parking meters on some or all of the public ways, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the sixth line of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "or", and insert "and also".

Amendment No. 2

In the eighth line of the title of said bill, after "ways" and before the comma, insert "in such districts or from ad valorem assessments upon real property in such districts".

Amendment No. 3

On page 3 of said bill, strike out all of lines 11 to 15, inclusive, and insert

"(11) Any bonds issued hereunder, and the interest thereon, shall be payable from net revenues from the operation of the parking place or places acquired or improved with the proceeds thereof, and in addition thereto may also be payable from the net revenues (or a portion thereof) from parking meters on some or all of the public ways in the district. To the extent to which such revenues have been or are expected to be insufficient in any year to pay such principal and interest, such bonds may also be payable from ad valorem assessments levied upon real property in the district within the limits herein provided. Neither the city nor any officer thereof shall be held otherwise liable for the payment of such principal and interest."

Amendment No. 4

On page 3, line 17, of said bill, strike out "land", and insert "real property".

Amendment No. 5

On page 3, line 20, of said bill, strike out "land", and insert "real property".

Amendment No. 6

On page 4, line 30, of said bill, strike out "accept", and insert "approve"; and strike out "accepts", and insert "approves".

Amendment No. 7

On page 9, line 6, of said bill, after "and", insert ", to the extent such revenues are insufficient,".

Amendment No. 8

On page 9, line 35, of said bill, after "interest.", insert "The rate of ad valorem assessment shall be fixed by the legislative body each year in accordance with such provision."

Amendment No. 9

On page 11, lines 10 and 11, of said bill, strike out "The compensation of a commissioner shall not be increased or diminished during his term of office."

Amendment No. 10

On page 12 of said bill, at the end of line 24, insert "The legislative body may grant such employees the same rights, privileges and benefits granted to other city employees."

Amendment No. 11

On page 12 of said bill, at the end of line 29, insert "The commission shall abide by all covenants made by the legislative body in the issuance of the bonds."

Amendment No. 12

On page 12, line 33, of said bill, strike out ", or grant a franchise therein,".

Amendment No. 13

On page 12, line 38, of said bill, strike out "or franchise".

Amendment No. 14

On page 12, line 42, of said bill, strike out "board", and insert "commission".

Amendment No. 15

On page 12, line 44, of said bill, strike out "franchise", and insert "contract".

Amendment No. 16

On page 12, lines 45 and 46, of said bill, strike out "franchise", and insert "contract".

Amendment No. 17

On page 12, line 49, of said bill, strike out "franchise", and insert "contract".

Amendment No. 18

On page 14 of said bill, following line 28, insert

"SEC. 26. If the petition for the formation of a district under this act expressly so authorizes, the legislative body may, at any time and following a hearing after such notice thereof as it may prescribe, determine that no parking place commission shall be appointed for said district, or if such commission has already been appointed, may dissolve said commission. In either event, the legislative body shall thereafter have all powers, jurisdiction and authority granted herein to, and all duties herein imposed upon, the commission; provided that the legislative body at any time thereafter may order that a commission shall be appointed or reappointed and thereafter have such powers, jurisdiction, authority and duties."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1020—An act to amend Sections 667.1 and 960 of the Welfare and Institutions Code, and to add Section 961 to said code, all relating to the establishment and maintenance of public schools

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 667.1 and", and insert "Section".

Amendment No. 2

In line 2 of the title of said bill, strike out "and to add Section 961 to said code, all".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 13, inclusive.

Amendment No. 4

On page 1, line 14, of said bill, strike out "Sec. 2", and insert "SECTION 1".

Amendment No. 5

On page 2 of said bill, strike out lines 4 to 18, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1708—An act to amend Section 3462 of the Education Code, relating to the organization of high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3462", and insert "3521".

Amendment No. 2

On page 1, line 1, of said bill, strike out "3462", and insert "3521".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 21, inclusive, and insert

"3521 A petition, signed by [50 or more qualified electors and taxpayers] *not less than twenty-five per cent (25%) of the registered electors* of any county *not residing in any high school district or unified school district*, may be presented to the board of supervisors, asking for the establishment of a county high school district. The board of supervisors shall submit the question of establishing a county high school district to the qualified electors of the county, at the next general election, or at a special election to be called by the board for that purpose."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code and to add Sections 1600 5 and 1600 6 thereto, relating to newly formed school districts

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, strike out lines 5 to 10, inclusive

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3443—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5501.5 to", and insert "amend Section 5501 of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5501 of the Welfare and Institutions Code is amended to read:

5501. (a) When a person is convicted of a criminal offense, *including conviction upon a charge of violation of Section 290 of the Penal Code by failure to register as required thereby*, the trial judge, on his own motion, or on motion of the prosecuting attorney, or on application by affidavit by or on behalf of the defendant, if it appears to the satisfaction of the court that there is probable cause for believing such person is a sexual psychopath within the meaning of this chapter, may adjourn the proceeding or suspend the sentence, as the case may be, and may certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

(b) When a person is convicted of a sex offense involving a child under 14 years of age and it is a misdemeanor, and the person has been previously convicted of a sex offense in this or any other state, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

(c) When a person is convicted of a sex offense involving a child under 14 years of age and it is a felony, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

When an affidavit is filed under (a) it shall be substantially in the form specified for the affidavit of mental illness in Section 5049 of this code except that the title and body of the affidavit shall refer to such person as "an alleged sexual psychopath" and shall state fully the facts upon which the allegation that the person is a sexual psychopath is based. If the person is then before the court or is in custody, the court may order that the person be detained in a place of safety until the issue and service of a warrant of apprehension as provided by this chapter.

The judge or justice presiding in such court, whenever it is deemed necessary or advisable, may issue and deliver to some peace officer for service, a warrant directing that the person be apprehended and taken before a judge of the superior court for a hearing and examination to determine whether the person is a sexual psychopath. The officer shall thereupon apprehend and detain the person until a hearing and examination can be had. At the time of the apprehension a copy of the affidavit if one was filed, the certification, and the warrant shall be personally delivered to the person and copies thereof shall also be delivered to the superior court to which the person was certified.

The warrant of apprehension shall be substantially in the form provided by Section 5050.1 of this code for the apprehension of a person alleged to be mentally ill."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3453—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, following line 10, insert

"SEC. 3. A copy of each deed of conveyance executed and delivered by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "cement and concrete works and operations".

Amendment No. 2

On page 1, line 21, of the printed bill, strike out the period after "work", and insert "and cement and concrete works in connection with the above mentioned fixed works."

Amendment No. 3

On page 1 of the printed bill, strike out lines 25 to 28, inclusive, and insert "Nothing in this section shall prevent a specialty contractor from executing a contract for or performing work within the classification in which the specialty contractor is licensed in connection with the construction of such fixed works."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3205—An act relating to conservation, particularly of the species Sequoia gigantea.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18, 19, and 20.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1848—An act to add Section 60 to the State Water Resources Act of 1945, relative to the financing of water projects by issuance of bonds payable solely from the revenues thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, after "construction.", insert "Said bonds shall not be a lien against, or liability of, the State of California."

Amendment No. 2

On page 1, line 14, of said bill, strike out "to the State".

Amendment No. 3

On page 1, line 18, of said bill, strike out "all bonds issued for".

Amendment No. 4

On page 1, line 19, of said bill, strike out "have been retired".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 927—An act to amend Section 30608 of the Streets and Highways Code, relating to reimbursement of the State Highway Fund of expenditures appertaining to the highway approaches to the San Francisco-Oakland Bay Bridge.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Section 30201.5 to, and to".

Amendment No. 2

Strike out lines 2, 3, and 4, of the title of the printed bill, and insert "Code, relating to toll bridges and the use of revenues therefrom, declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 30201.5 is added to the Streets and Highways Code, to read:

30201.5 Where one or more toll bridges or other highway crossings are to be acquired as provided in Section 30201, and expenditures to rehabilitate or improve such toll bridge or bridges or other highway crossing or crossings, or approaches thereto, or for cost of operation, are necessary, provision for the amounts to be so expended may be made in any issue of revenue bonds or for the use of toll revenues therefor, all as may be provided in any bond indenture or resolution. The California Toll Bridge Authority shall continue to collect tolls until all advancements for any of said purposes from any State funds have been repaid into the State Treasury to the credit of the funds from which advanced.

SEC. 2. Section 30608 of said code is amended to read:".

Amendment No. 4

On page 1 of said bill, after line 17, insert

"SEC. 3. Section 1 of this act, adding Section 30201.5 to the Streets and Highways Code, is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall take effect immediately. The facts constituting such necessity are that proceedings have already been instituted by the State to acquire two privately owned toll bridges and it is contemplated that toll revenues from said bridges shall be used to rehabilitate the same. The present law is not clear as to the power to so use toll revenues and the uncertainty may make it impossible to sell the proposed revenue bonds. In order to insure the sale of revenue bonds at the lowest possible interest rates it is necessary that Section 1 of this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1635—An act to amend Sections 50101 and 50110 of the Water Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 50101 and 50110 of", and insert "add Article 4½ to Chapter 2, Part 7, Division 15 of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Article 4½ is added to Chapter 2, Part 7, Division 15 of the Water Code to read:

Article 4½. Alternative Method for Levying Operation and Maintenance Assessments

51370. If the real property in the district is located entirely within one county, the board may furnish to the board of supervisors, on or before the date set for consideration of the budget, an estimate in writing of the amount of money needed for payment of maintenance, repair, operation, supplemental construction, and replacement expenses by the district in lieu of levying an operation and maintenance assessment as provided in Article 3 of this chapter.

51371. The board of supervisors, upon receipt of the estimate from the board, shall levy a special tax on all taxable land and improvements thereon shown on the county tax roll as lying within the district, sufficient to raise the estimated sum.

51372. The tax shall be upon the assessed value of all taxable land and improvements thereon within the district.

51373. The tax upon the land and improvements thereon shall be computed, entered upon the tax rolls, and collected in the same manner as county taxes are computed, entered and collected.

51374. All money collected shall be paid into the county treasury to the credit of the particular district fund, and shall be held by the county treasurer for the benefit of the district and paid out by him upon warrants authorized by the board

51375. No funds for the payment of the principal or interest of any bonded indebtedness of the district liquidated as of December 31, 1951, shall be raised by the method prescribed in this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3131—An act to amend Section 507 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Marysville", insert "; provided, however, that the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3132—An act to add Section 534 to the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "534", and insert "144.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "534", and insert "144.5".

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert

"144.5. Whenever the commission shall determine that a state highway route between any two termini is so located as to be in danger of obstruction by slide, washout, or other natural cause, or by enemy action in case of war, or to be in danger of congestion or excessive use by traffic diverted over such route because of such obstruction, congestion, or excessive use of other routes, or that the traffic over such route is already congested or excessive, the commission may designate, improve and maintain an existing road or street between the same termini as an alternative route."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1507—An act to amend the heading of Chapter 7, Division 4 of, amend and renumber Sections 7076, 7077, and 7078 of, and add Sections 7100, 7101, 7102, and 7103 to, the Water Code, relating to the regulation of water well construction.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "and 7103", and insert "7103 and 7105".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 8 of said bill, after line 40, insert

"SEC. 2. The heading of Chapter 7, Division 4 of the Water Code is amended to read:

CHAPTER 7. WATER WELLS.

SEC. 3. Section 7100 is added to said code to read:

7100. As used in this chapter "person" also includes city, county, and district.

SEC. 4. Section 7101 is added to said code to read:

7101. The provisions of this chapter are not a limitation on the power of a city or county to adopt and enforce additional regulations not in conflict therewith.

The provisions of this chapter are not a limitation on the right of any person to construct a water well in any locality of the state

The provisions of this chapter are not a limitation on the right of any person to extract underground waters.

SEC. 5. Section 7102 is added to said code to read:

7102. Whenever the department, in any report made pursuant to Section 231 to a regional water pollution control board, shall recommend minimum standards of water well construction, alteration, repair, and abandonment in any particular locality in which it deems regulation necessary to the protection of the quality of the underground water, the regional board shall hold a hearing in the locality concerned as to the need for the standards. The hearing shall be held only after notice thereof has been published once a week for two weeks in a newspaper of general circulation in the locality concerned.

If, after hearing, the regional board finds that the public interest necessitates the adoption of the standards, it shall adopt the standards as recommended The board may adopt or reject the standards as recommended, but shall have no power to modify or otherwise alter the standards

SEC. 6. Section 7103 is added to said code to read:

7103. Any person who hereafter proposes to dig, bore, drill, reperforate, deepen, or abandon a water well, or who proposes to convert any oil or gas well for use as a water well, shall file with the appropriate regional water pollution control board, a notice of intention to undertake the work The report shall be made on forms furnished by the Division of Water Resources, Department of Public Works, and shall contain such information as the Division of Water Resources may require.

Upon the lapse of 10 days after the date of filing of the notice of intent, the person filing the notice may proceed with the proposed work but shall comply with all standards adopted by the regional water pollution control board, copies of which are received by him from the regional board by registered mail.

Any person who has copies of all pertinent standards adopted by the regional water pollution control board having jurisdiction over the area in which the work will be done, may proceed with the proposed work immediately upon the filing of the required notice.

Each regional water pollution control board, shall, upon request of any person, mail to such person a copy of each standard adopted by the board, within 10 days after its adoption.

SEC 7. Section 7076 of said code is renumbered as Section 7104 and amended to read:

[7076] *7104.* Every person who hereafter digs, bores or drills a water well, or who deepens or reperforates any such well, shall file with the appropriate regional water pollution control board a report of completion of such well within thirty days after its construction or repair has been completed

The report shall be made on forms furnished by the Division of Water Resources and shall contain such information as the division may require, including, but not limited to: (a) description of exact location of the well; (b) detailed log of the well; (c) description of type of construction; (d) details of perforation; and (f) methods used for sealing-off surface or contaminated waters.

Every person who fills in, plugs, covers or renders a water well unsuitable for use as a water well without restoration shall report the details of such action to the appropriate regional water pollution control board within 30 days after the action has been completed. The report shall be made on forms furnished by the Division of Water Resources and shall contain such information as the division may require.

SEC. 8. Section 7105 is added to said code to read:

7105 Reports made pursuant to Section 7104 shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies.

SEC. 9. Section 7077 of said code is renumbered as Section 7106 to read:

[7077] *7106* Every person who hereafter converts, for use as a water well, any oil or gas well originally constructed under the jurisdiction of the Department of Natural Resources pursuant to the provisions of Article 4, Chapter 1, Division 3 of the Public Resources Code, shall comply with all provisions of this chapter.

SEC. 10. Section 7078 of said code is renumbered as Section 7107 and amended to read:

[7078] *7107* Failure to comply with any provision of this chapter, [or] wilful and deliberate falsification of any report required by this chapter, *or failure to comply with any standard adopted by a regional water pollution board,* is a misdemeanor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2372—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to the Public School System and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "5 to Chapter 1, Division 1", and insert "1.5 to Chapter 2, Division 10".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Article 1.5 is added to Chapter 2, Division 10 of the Education Code to read:

Article 1.5. State College Council

20320 There is hereby created the State College Council which shall consist of the director of education and eleven additional members appointed by the Governor. Of the members appointed by the Governor, one shall be appointed from the membership of the advisory board of each state college, one shall be appointed from the membership of the board of governors of the California Maritime Academy, and one shall

be appointed from a list of five persons not holding salaried educational positions nominated by the president of the California State Polytechnic College."

Amendment No. 3

On page 1, line 15, of said bill, strike out "251. The board", and insert "20321. The council".

Amendment No. 4

On page 1, line 17, of said bill, strike out "252", and insert "20322".

Amendment No. 5

On page 1, line 18, of said bill, after "board", insert "or list"

Amendment No. 6

On page 1, line 20, of said bill, strike out "253. The board", and insert "20323. The council".

Amendment No. 7

On page 1, line 22, of said bill, strike out "254", and insert "20324".

Amendment No. 8

On page 1, line 22, of said bill, strike out "board", and insert "council".

Amendment No. 9

On page 1, line 23, of said bill, strike out "board", and insert "council".

Amendment No. 10

On page 2, line 1, of said bill, strike out "255. The board", and insert "20325. The council".

Amendment No. 11

On page 2, line 2, of said bill, strike out "board", and insert "council".

Amendment No. 12

On page 2, line 4, of said bill, strike out "256", and insert "20326".

Amendment No. 13

On page 2, line 5, of said bill, strike out "board", and insert "council".

Amendment No. 14

On page 2, line 7, of said bill, strike out "board", and insert "council".

Amendment No. 15

On page 2, line 8, of said bill, strike out "257. Members of the board", and insert "20327. Members of the council".

Amendment No. 16

On page 2, line 11, of said bill, strike out "board", and insert "council".

Amendment No. 17

On page 2 of said bill, strike out lines 12 to 14, inclusive, and insert "20328. The council shall study the need for the establishment of an advisory council or similar agency for all state colleges, and the California Maritime Academy. It shall also".

Amendment No. 18

On page 2, line 16, of said bill, after "colleges", insert "and the California Maritime Academy".

Amendment No. 19

On page 2, line 17, of said bill, strike out "259. The board", and insert "20329. The council".

Amendment No. 20

On page 2, line 24, of said bill, strike out "Investigating Board", and insert "Council".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2034—An act to provide for the establishment, organization, government and powers of multiple service districts and authorizing such districts to levy taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Division 3, Community Services Districts, is added to Title 5 of the Government Code to read as follows:

DIVISION 3. COMMUNITY SERVICES DISTRICTS

PART 1. INTRODUCTORY PROVISIONS

CHAPTER 1. SHORT TITLE

60000. This division shall be known and may be cited as the Community Services District Law.

CHAPTER 2. DEFINITIONS

60010. Unless the context otherwise requires, the provisions of this chapter shall govern the construction of this division.

60011. The definition of a word applies to any of its variants.

60012. "District" means a community services district formed under the provisions of this division.

60013. "Board" means the board of directors of a district.

60014. "President" means the president of the board.

60015. "Secretary" means the secretary of the board.

60016. "Elector" and "voter" have respectively the same meaning as in the Elections Code, but an "elector" or "voter" shall also be a resident of the district or proposed district involved.

PART 2. FORMATION

CHAPTER 1. PETITION FOR FORMATION

60100 The people of any unincorporated territory within one or more counties may form a district pursuant to this part.

60101. Proceedings for the formation of a district shall be commenced by filing as hereinafter provided a petition addressed to the board of supervisors of the county in which the territory of the proposed district lies. The petition may consist of any number of separate instruments each of which must comply with all the requirements for a petition except as to the number of signatures

60102 The petition for formation shall: (a) state the proposed name for the district, (b) set forth the boundaries of the district or describe the lands situated therein, (c) request that a district be formed under the Community Services District Law, (d) state for which of the purposes set forth in Section 60600 of this division the district is to be formed

60103. The petition shall be signed by registered electors within the proposed district equal in number to at least 15 percent of the number of votes cast in the proposed district for the office of Governor at the general election next prior to the filing of the petition

60104. The petition shall be filed with the clerk of the board of supervisors of the county in which the proposed district lies. Said board shall, at its next regular meeting, or it may at any earlier special meeting, fix a time and place for the hearing of the petition not less than 20 days nor more than 40 days after the date of such meeting.

60105. Notice of the hearing shall be published in a newspaper of general circulation, circulated within the proposed district. Such notice shall be published at

least twice with an interval of at least six days between the first and last publication. Publication must be completed at least six days before the date of the hearing.

60106 The notice of the hearing shall:

(a) State that a petition for the formation of a community services district has been filed with the board of supervisors.

(b) State the proposed name for the district;

(c) Set forth the boundaries of the district or describe the lands situated therein;

(d) State the purposes for which the district is to be formed as requested by the petition;

(e) State the time and place for the hearing;

(f) State that at said hearing protests will be considerd and that requests in writing for exclusion from or inclusion of lands in a proposed district will be heard and considered.

60107 The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated for clerical error in the published notice.

CHAPTER 2. HEARING ON PETITION

60110. At the time stated in the notice of the hearing the board of supervisors shall hear the petition and those appearing in favor thereof and any protests made orally or in writing against the formation of the proposed district.

60111. At the hearing any owner of land in the proposed district may present to the board of supervisors a request in writing for exclusion of such land or any part thereof and any owner of land outside the proposed district may present to the board of supervisors a request in writing for inclusion of such land in the proposed district.

60112. The board of supervisors may adjourn the hearing from time to time not exceeding four weeks in all.

60113 Upon the hearing of the petition the board of supervisors shall determine whether or not the petition complies with this part. Its finding in favor of the genuineness and sufficiency of the petition and notice is final and conclusive against all persons except the State of California in a proceeding brought by the Attorney General within one year of the date of the order declaring the district formed

60114. Upon the final hearing the board of supervisors shall fix the boundaries of the proposed district. In so doing it shall exclude from the district any land which it finds will not be benefited by the proposed project and it may include in the district any land which it finds will be benefited if it also finds it will be to the interest of the district to include the same.

60115. Upon the final hearing the board of supervisors shall designate the name of the proposed district which may be that proposed in the petition or such other name as said board may select.

CHAPTER 3. ELECTION ON FORMATION

60120. Upon the final hearing the board of supervisors shall call and give notice of an election to be held in the proposed district for the purpose of determining whether or not it shall be formed and for the selection of persons who shall serve as the directors of said district if said district is formed

60121. The election shall be held not less than 40 days nor more than 60 days from the date of the final hearing on the formation petition

60122. Notice of the election shall be published in a newspaper of general circulation circulated within the proposed district Such notice shall be published at least twice with an interval of at least six days between the first and last publication. Publication shall be complete at least six days before the date of the election.

60123. The notice of election shall contain (a) the date of the election, (b) the name of the proposed district, (c) the purposes for which the district is to be formed, (d) a statement that the first directors will be elected at that election who will take office if the district if formed, and (e) a description of the boundaries of the proposed district or of the lands included therein.

60124. The election shall be called and conducted and candidates nominated in the manner hereinafter provided for general district elections except that the board of supervisors shall establish election precincts, designate the polling place of places, appoint the election board or boards, and canvass the returns.

60125 The vote shall be canvassed by the board of supervisors on the first Monday which is four or more days after the election.

60126 If less than a majority of the votes cast at the election is in favor of forming the district the board of supervisors shall declare the proceedings terminated.

60127. If the majority of the votes cast at the election is in favor of forming the district the board of supervisors shall by resolution entered on its minutes declare the district duly organized under the Community Services District Law giving the name of the district and the purposes for which it is formed, and describing its boundaries.

60128 The county clerk shall immediately cause to be filed in the office of the county recorder of the county in which the district is situated and with the Secretary

of State a certified copy of the resolution forming the district. Thereupon the organization of the district shall be complete.

60129. No informality in any proceeding, including informality in the conduct of any election not substantially affecting adversely the legal rights of any person, shall invalidate the formation of any district.

60130. The validity of the formation and organization of a district shall not be contested in any proceeding commenced more than 90 days after the date that the formation of such district is complete

CHAPTER 4. FORMATION OF DISTRICT IN MORE THAN ONE COUNTY

60140. Where the proposed district lies in more than one county the formation of the district shall be effected by separate petitions to and proceedings before the boards of supervisors in each county in which the proposed district lies.

60141. The procedure in each county shall be the same as if the portion of the district within the county constituted the entire district except that the petition shall set forth the boundaries of the entire district or describe the lands situated therein and the notices and resolutions with respect thereto shall indicate that portions of the proposed district lie in one or more other counties.

60142. Each board of supervisors shall have jurisdiction to fix the boundaries of the proposed district only in its own county.

60143. The formation of such a district shall be complete only upon a favorable termination of the proceedings in each county in which the proposed district lies and upon completion by each county clerk of the filings required by Section 60128

PART 3. INTERNAL ORGANIZATION

CHAPTER 1. BOARD OF DIRECTORS

60200. Each district shall have a board of three directors elected at large.

60201. The directors first elected upon the formation of the district shall classify themselves by lot so that the term of office of one of them shall be until the election and qualification of a successor at the first succeeding general district election, and the term of office of two of them shall be until the election and qualification of successors in the second succeeding general district election.

60202. The term of office of each director other than directors first elected shall be four years.

60203. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in the office.

60204. All vacancies occurring in the office of director shall be filled by appointment by the remaining directors elected.

60205. An appointment to fill a vacancy in the office of director shall be for the unexpired terms of the office in which the vacancy exists.

60206. Each director elected or appointed shall hold office until his successor qualifies.

60207. The board may authorize each director to receive compensation not exceeding ten dollars for each meeting of the board attended by him, not exceeding three meetings in any calendar month.

60208. The board may authorize a director to receive for performing duties for the district other than attending board meetings:

(a) Not to exceed ten dollars ($10) for each day

(b) Traveling and other expenses incurred by him in performing such duties.

60209 Before entering upon the duties of his office each director shall take and subscribe the official oath before the secretary or any officer authorized by law to administer oaths and shall file it with the secretary.

60210. The number of directors on the board of a district shall be increased to five upon approval by a majority of the voters of a proposition therefor submitted to them at a general or special district election by resolution of the board or by initiative petition. At the time of submitting such a proposition an election shall be held to select two persons to serve as directors in the event that the proposition is adopted If the proposition is approved the term of office of one of the two persons so selected, to be chosen by lot, shall extend to the election and qualification of a successor at the next succeeding general district election and the term of office of the other shall extend to the election and qualification of a successor at the second succeeding general district election

60220. Within 30 days after the election of the first directors and thereafter within 30 days after each general district election the directors shall meet and organize as a board and may thereupon transact any business of the district

60221 The board shall:

(a) Elect one of its members president.

(b) Provide for the time and place of holding its regular meetings.

(c) Provide for the manner of calling special meetings.

60223. The board shall act only by ordinance, resolution, or motion

60224. A majority of the board shall constitute a quorum for the transaction of business.

60225. No ordinance, resolution, or motion shall be passed or become effective without the affirmative votes of at least a majority of the members of the board.

60226. Except where action is taken by the unanimous vote of all directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions, or motions and entered upon the minutes of the board.

60227. The form of enacting clause of all ordinances passed by the board shall be: "Be it ordained by the board of directors of _____ Community Services District as follows:".

60228. All ordinances shall be signed by the president and attested by the secretary.

60229. All legislative sessions of the board shall be public.

CHAPTER 2. OTHER OFFICERS AND EMPLOYEES

60240. The board shall, at its first meeting or as soon thereafter as practicable, appoint by a majority vote:

(a) A general manager;

(b) A secretary, who may also be the general manager.

60241. A director shall not be general manager or secretary.

60242. The general manager and secretary shall each receive the compensation determined by the board and shall serve at its pleasure.

60244. The board may at any time appoint or employ, fix the compensation of, and prescribe the authorities and duties of other officers, employees, attorneys, and engineers necessary or convenient for the business of the district.

60245. The general manager and secretary and other employees or assistants of the district required so to do by the board shall each give a bond to the district conditioned for the faithful performance of his duties as the board may provide.

CHAPTER 3. BOARD AND OFFICER ACTIVITIES

60300. The board is the governing body of the district.

60301. The powers of districts enumerated in this division shall, except as therein otherwise provided, be exercised by the board.

60302. Directors and officers of the district shall not be interested in any contract made by the district and shall not be purchasers at any sale nor vendors at any purchase made by the district.

60303. Every contract made in violation of any of the provisions of Section 60302 may be avoided at the instance of any party except the director or officer interested therein.

PART 4. ELECTIONS

CHAPTER 1. ELECTIONS GENERALLY

60400. The provisions of the Elections Code relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern all district elections except:

(a) To the extent that the provisions of the Elections Code pertaining to the conduct of local elections are inconsistent with the provisions of that code pertaining to general elections, the provisions of the Elections Code pertaining to local elections shall control.

(b) Inconsistent provisions of this division shall control over any provision of the Elections Code.

60401. The first general district election shall be held on the same day as and may be consolidated with the next state direct primary which is held more than six months subsequent to the date of formation of the district.

60402. Succeeding general district elections shall be held on the same day as and may be consolidated with the succeeding state direct primaries.

60403. Nominations for the office of director shall be made by petition of five or more electors filed with the Secretary at least 30 days before the election.

60404. For each district election the secretary shall procure at district expense and furnish to the officials conducting the election a suitable number of ballots having printed thereon the names of persons properly nominated, a blank space for insertion of an additional name for each office to be filled, and a statement of any district proposition to be voted upon with appropriate spaces for voting "yes" or "no".

60405. Notice of each district election shall be published in a newspaper of general circulation circulated within the district, at least twice with an interval of at least six days between the first and last publication. Publication shall be complete at least six days before the election.

60406. The notice of election shall contain the date of election, the location of polling places, the names of any persons properly nominated for office and the office for which nominated, and a brief statement of any district propositions to be voted upon at the election.

60407. The board shall establish election precincts, designate the polling place or places, and appoint the election board or boards, and shall canvass the returns on the Monday following the date of the election.

60408. If there is but one person to be elected to an office, the candidate receiving the highest number of votes cast for the candidates for that office shall be declared elected

60409 If there are two or more persons to be elected to an office, those candidates equal in number to the number to be elected who receive the highest number of votes for the office shall be declared elected.

60410 If a proposition has been submitted at the election it shall be declared approved if a majority of those voting thereon, or such higher number as may be required by law, vote in favor thereof. Otherwise it shall be declared rejected.

60411. The secretary shall immediately make and deliver to each person elected a certificate of election signed by the secretary and authenticated with the seal of the district.

60412. No informality in conducting a district election shall invalidate it.

60413. All the expenses of district elections shall be borne by the district.

CHAPTER 2. APPOINTMENTS IN LIEU OF ELECTION

60430. If on the twentieth day prior to a general district election one person only has been nominated for each of the positions of director to be filled at that election and a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the board, an election shall not be held.

60431. In such case the publication provided for in Section 60405 shall instead of calling an election state that no election is to be held but that the board of supervisors will appoint those nominated for the positions of director.

60432. If pursuant to Section 60430 a district election is not held, the board of supervisors of the county in which the district, or the largest part thereof in area, is situated shall at its next regular meeting appoint to the positions of directors those persons nominated, and such persons shall qualify, take office, and serve exactly as if elected at a general district election.

CHAPTER 3. ELECTIONS OF DIRECTORS BY DIVISIONS

60440 The board may, if it deems it to be for the best interest of the district, submit to the voters at a general district election, or at a special district election called for the purpose, the question whether the directors shall be elected by divisions

60441. If at the election the majority of the voters voting upon the question approves the election of directors by divisions then:

(a) The board shall promptly divide the district into a number of divisions equal to the number of directors which shall be as nearly equal in population as practicable

(b) The board may thereafter at any time not within 60 days before the general district election, change the boundaries of the divisions to keep them as nearly equal in population as practicable.

(c) The board shall promptly designate which divisions shall elect directors at the next general district election to succeed the directors whose terms then expire

60442. The division designated in accordance with Section 60411(c) shall elect directors at the next succeeding general district election in accordance with such designation and every four years thereafter. The remaining divisions shall elect directors at the general district elections next following those at which the designated divisions elect directors

CHAPTER 4. INITIATIVE; REFERENDUM; RECALL

60450 Ordinances may be passed by voters in accordance with Article 1 of Chapter 2 of Division 4 of the Elections Code.

60451 Ordinances may be disapproved and thereby vetoed by voters by proceeding in accordance with Article 2 of Chapter 2 of Division 4 of the Elections Code.

60452 Every incumbent of the office of director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of Chapter 2 of Division 13 of the Elections Code applicable to officers of counties.

PART 5. PURPOSES AND POWERS

CHAPTER 1. PURPOSES

60600 A district formed under this law may exercise the powers hereinafter granted for such of the following purposes as have been designated in the petition for formation of such district and for such others of the following purposes as the district shall adopt as hereinafter provided:

(a) To supply the inhabitants of the district with water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation.

(b) The collection, treatment or disposal of sewage, waste and storm water of the district and its inhabitants.

(c) The collection or disposal of garbage or refuse matter.

(d) Protection against fire.

(e) Public recreation by means of parks, playgrounds, swimming pools or recreation buildings.

(f) Street lighting.

(g) Mosquito abatement.

60601. Whenever the board determines by resolution that it is feasible, economically sound, and in the public interest, for the district to exercise its powers for any of the purposes specified in Section 60600 which are not designated in the petition for formation of the district, the board may call a special district election and submit to the electors of the district, or submit to them at the next general district election, the question of whether the district should adopt such additional purpose or purposes. If a majority of the votes cast at the election upon such proposition shall be in favor of the adoption of such additional purpose or purposes, then the powers of the district may be exercised therefor.

CHAPTER 2 POWERS

60610. A district may take or acquire real or personal property of every kind within or without the district by grant, purchase, gift, devise, lease, or condemnation pursuant to eminent domain proceedings in accordance with Title 7, Part 3 of the Code of Civil Procedure.

60611. A district may hold, use, enjoy, lease or dispose of any of its property.

60612. A district may sue and be sued in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

60613. A district may borrow money and incur or assume indebtedness and it may issue bonds or other evidences of such indebtedness, provided, however, that no district shall incur any funded indebtedness which shall in the aggregate exceed 50 percent of the assessed valuation of all real and personal property situated within the district.

60614. A district may refund or retire any indebtednes that may exist against or be assumed by the district

60615. A district may levy and cause to be collected, taxes for the purpose of carrying on the operations and paying the obligations of the district

60616. A district may make contracts for any and all purposes necessary or convenient for the full exercise of its powers.

60617. A district has perpetual succession.

60618. A district may adopt a seal and alter it at pleasure.

60619. A district may employ labor and professional services.

60620. A district may perform any work of construction or operation under its own superintendence or may contract for the performance of such work by others.

60621. A district may prescribe, revise and collect rates or other charges for the services and facilities furnished by it and a district may refuse to furnish services or facilities to persons who fail to pay the charges so determined

60622. Each district has the power generally to perform all acts necessary to carry out fully the provisions of this division.

60625. A district may construct any works along, under, or across any street, road, highway, or other property devoted to a public use subject to such reasonable conditions as the governing body in charge of such public use may impose

60626. A district may enter into an agreement with any public or private corporation whereby any work or improvement may be operated and maintained by the corporation. The power to make such an agreement is conditioned upon a finding by the board that the residents of the district would be better served by such operation and maintenance.

CHAPTER 3. LIABILITY FOR DAMAGES

60627. No officer, agent, or employee shall be liable for any act or omission of any agent or employee appointed or employed by him unless he had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which he was appointed or employed or retains the inefficient or incompetent person after notice of the inefficiency or incompetency.

60628. Whenever it is claimed that any property has been taken, injured, damaged, or destroyed or that any person has been injured or damaged as a result of any dangerous or defective condition of any property controlled by the district or its officers, agents, or employees or by any act or omission of any officer, agent, or employee of the district, a claim for damages shall be presented in writing and filed with the secretary within 180 days after the accident, injury, taking, damage, or destruction has occurred.

60630. Each claim filed pursuant to Section 60628 shall specify the name and address of the claimant, the date and place of the accident, injury, taking, damage, or destruction, and the nature and extent of the injury or damage claimed

60631. Compliance with Sections 60628 and 60630 is a condition precedent to the filing or maintaining of any action for the injury or damage.

60632. The district may employ counsel to defend any action brought against it or any of its officers, agents, or employees on account of any injury, taking, damage, or destruction, and the fees and expenses, including the cost of any bonds and undertakings, involved therein shall be a lawful charge against the district

60633 If an officer, agent, or employee of the district is held liable for any act or omission in his official capacity, except in case of actual fraud or actual malice,

and any judgment is rendered thereon, the district shall pay the judgment without obligation for repayment by the officer, agent, or employee.

CHAPTER 4. BONDS

60650. Whenever the board deems it necessary for the district to incur a bonded indebtedness, it shall by resolution set forth all of the following:

(a) A declaration of the necessity for the indebtedness

(b) The purpose for which the proposed debt is to be incurred.

(c) The amount of the proposed debt.

(d) The time and place for a hearing by the board on the questions

(1) Will the whole or a portion of the district be benefited by the accomplishment of the purpose?

(2) If only a portion of the district will be benefited, what portion will be so benefited?

60651 Notice of the hearing shall be given by publication of a copy of the resolution in a newspaper of general circulation circulated within the district at least twice with an interval of at least six days between the first and last publication Publication shall be complete at least six days before the time fixed for the hearing.

60652. The copy of the resolution published or posted shall be accompanied by a notice subscribed by the secretary that:

(a) The hearing referred to in the resolution will be had at the time and place specified in the resolution.

(b) At that time and place any person interested, including all persons owning property in the district, will be heard upon the questions stated in the resolution.

60653. At the time and place fixed for the hearing on the resolution declaring the necessity for incurring the bonded indebtedness, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing.

60654. At the hearing any person interested, including persons owning property within the district, may appear and present any matters material to the questions set forth in the resolution declaring the necessity for incurring the bonded indebtedness

60655 At the conclusion of the hearing, the board shall by resolution determine whether the whole or part of the district will be benefited by the accomplishment of the purpose stated in the resolution.

60656 If the board determines that the whole of the district will not be benefited, the resolution shall also describe the portion of the district which will be benefited, in a manner sufficient for identification, which portion of the district described in the resolution shall thereupon constitute and be known as "Improvement District No. . . . . of . . . . Community Services District."

60657. After the formation of an improvement district within a district pursuant to this article, all proceedings for the purpose of a bond election within the improvement district and for the purpose of taxation for the payment of the bonds and interest shall be limited, and apply only to the improvement district

60658. The determination of the board that the whole of the district will be benefited by the bond issue or that only a described portion of the district will be benefited by the bond issue is final and conclusive.

60659. After the board has made its determination pursuant to Section 60655, if it deems it necessary to incur the bonded indebtedness, it shall by resolution state:

(a) That it deems it necessary to incur the bonded indebtedness.

(b) The purpose for which the bonded indebtedness will be incurred.

(c) Either of the following in accordance with its previous determination:

(1) That the whole of the district will be benefited by incurring the bonded indebtedness.

(2) That a portion of the district will be benefited by incurring the bonded indebtedness, which portion shall be described as it is described in the resolution of the board made pursuant to Section 60655.

(d) The amount of debt to be incurred.

(e) The maximum term the bonds to be issued shall run before maturity, which term shall not exceed 40 years.

(f) The annual rate of interest to be paid which rate shall not exceed 7 percent, payable annually or semiannually.

(g) The proposition to be submitted to the voters.

60660. The board shall call or designate an election which may be either a special or a general district election, to authorize the bonded indebtedness described in the resolution adopted pursuant to Section 60659.

60661 The board shall provide for holding the election in the same manner as provided by law in respect to district elections so far as applicable, except as otherwise provided in this chapter.

60663 Every elector residing within the area designated in the resolution adopted pursuant to Section 60659, but no others, may vote on the proposition to authorize the bonds. If the area does not include the entire district a separate ballot shall be prepared for the vote upon such proposition and only the voters entitled thereto shall be given such ballots.

60671. If more than two-thirds of the votes cast at the election are in favor of incurring the indebtedness, the board may, by resolution, at the time or times it deems proper, provide for the following:

(a) The form of the bonds.

(b) The execution of the bonds.

(c) The issuance of any part of the bonds.

60672. The district may dispose of the bonds so issued at the times or in the manner the board deems to be to the public interest.

60673. Any bonds issued by any district organized under the provisions of this act are hereby given the same force, value and use as bonds issued by any municipality and shall be exempt from all taxation within the State.

60674. The board may, by resolution, do the following:

(a) Submit to the voters a measure to issue new bonds to refund any or all of the district bonds outstanding.

(b) Submit to the voters of any improvement district of the district a measure to issue new bonds to refund any improvement district bonds outstanding.

60675. The measure may be voted on at any district election or a special election may be called for the purpose.

60676. The procedure upon the election shall be in accordance, so far as applicable, with the procedure upon an original issue of bonds, except that:

(a) No hearing need be held upon the question whether the bond issue will benefit the entire district or only a portion thereof.

(b) The vote of a majority of the voters voting upon the measure is sufficient to authorize the issue of refunding bonds.

60677. The refunding bonds may be issued and sold in the manner and form prescribed for an original issue of bonds.

60678. Refunding bonds may, if the holders of bonds of an original issue and the board so agree, be exchanged for original bonds

60679. The face value of refunding bonds exchanged for original bonds shall not exceed the face value of the original bonds.

60680 The board may raise money by rates or taxes to pay principal and interest of the refunding bonds in the same manner as prescribed for payment of bonds of an original issue.

60681 Any bonds issued by the district may be made callable by resolution of the board adopted at or prior to the time of issuing the bonds

60682. When bonds are made callable, a statement to that effect shall be set forth on the face of the bond.

60683. Callable bonds may be redeemed in addition to other methods permitted in the following manner:

(a) In numerical order or by lot as prescribed in the resolution.

(b) On any interest payment date prior to their fixed maturity.

(c) At not exceeding their par value and accrued interest.

60684 Notice designating the bonds called for redemption shall be published once a week for three successive weeks in a newspaper of general circulation circulated in the county in which the office of the district is situated.

60685 The first publication of the redemption notice shall be not less than 30 nor more than 90 days prior to the date fixed for redemption

60686. If on the date fixed for redemption the district has provided funds available for payment of the principal and interest of the bonds called, interest on them ceases.

CHAPTER 5. IMPROVEMENT DISTRICTS

60710 Improvement districts may be formed in a district for any authorized purpose of the district in the same manner as improvement districts are formed in irrigation districts. When formed, such improvement districts shall be governed in the same manner as improvement districts in irrigation districts.

60711. The board of directors of a district shall have the same rights, powers, duties and responsibilities with respect to the formation and government of improvement districts in districts as the board of directors of an irrigation district has with respect to improvement districts in irrigation districts.

60712. Assessments in an improvement district in a district shall be levied, collected and enforced at the same time and in as nearly the same manner as practicable as annual taxes for purposes of the district in which formed, except that the assessment shall be made in the same manner as provided with respect to improvement districts in irrigation districts.

60715. Whenever, in the opinion of the board, the public interest or convenience may require, it may order to be done in, under, or upon the whole or any portion of any one or more of the streets or public places of the district, or any property or rights of way owned by the district, any work or improvement which the district is authorized to do and the cost thereof assessed and collected in accordance with the procedure and in pursuance of the provisions of the Improvement Act of 1911.

CHAPTER 6. DEPOSITARY OF DISTRICT MONEY

60730. The board shall designate the county treasurer of a county in which the district is situated to be the depositary and have the custody of all the district's money.

60731. The county treasurer shall:

(a) Receive and receipt for all the district's money and place it in the county treasury to the credit of the district.

(b) Be responsible upon his official bond for the safekeeping and disbursing of all district money so held by him.

60732. The county treasurer shall pay out district money, or any portion thereof, only upon warrants of the county auditor.

60733. The county auditor shall draw warrants to pay demands made against the district when the demands have been approved by a majority of the members of the board and the general manager.

60734. The county treasurer shall report in writing on the first day of July, October, January, and March of each year to the board with respect to each of the following.

(a) The amount of money he then holds for the district.

(b) The amount of receipts since his last report.

(c) The amount paid out since his last report. The report shall be verified and filed with the secretary.

60735. The board of supervisors of the county shall determine the charge to be made against the district for any services of either or both of:

(a) The county treasurer as custodian of the district's money.

(b) The county auditor in drawing warrants to pay demands made and approved against the district.

PART 6 TAXES

CHAPTER 1. GENERAL PROVISIONS

60750. If from any cause the revenues of the district shall be inadequate to pay the principal or interest on any bonded debt as it becomes due, the board must, or if funds are needed to carry out the objects and purposes of the district, which can not be provided for out of the revenues of the district, then the board may levy a tax for such purposes as herein provided

60751. The board shall state the purposes for which such taxes are necessary, and must fix, by ordinance, the amount of money necessary to be so raised by taxation. If the amount to be raised at any one time by taxation for a purpose other than interest or sinking fund payments exceeds the sum of fifty thousand dollars ($50,000), such ordinance shall not go into effect before 30 days from its final passage.

60752. The board of directors shall avail itself of the assessment or assessments made by assessors of the counties in which the district is situated, and take such assessments as the basis for district taxations

60753. All assessments shall be made and taxes collected by the county assessors and tax collectors of the counties in which the district is situated.

60754. The said county auditors must, on or about the third Monday in August of each year, transmit to the board a statement in writing showing the total value of all property within the district, which value shall be ascertained from the assessment book of the respective counties for that year as equalized and corrected by the boards of supervisors of such counties.

60755. The board shall, on the first weekday in September, or if such weekday falls upon a holiday then on the first business day thereafter, fix the rate of taxes, designating the number of cents upon each hundred dollars, using as a basis the value of the property levied upon as assessed by the county assessors and so returned to the board by the county auditors, which rate of taxation shall be sufficient to raise the amount previously fixed by the board, as hereinabove prescribed; which acts by the board are a valid assessment of such property and a valid levy of such taxes so fixed The board must immediately thereafter transmit to the said county auditors a statement of such rate so fixed by the board.

60756. Any district taxes required to be levied to pay the interest on or principal of any bonded indebtedness incurred by the district for the benefit of less than the whole of the district shall be levied on and shall be a lien upon only the property benefited by the bonded debt as stated in the resolution of the board declaring the necessity to incur the debt Where any district taxes are to be levied upon less than the whole district the board shall furnish the county assessors and auditors of the counties with a description of the property upon which such taxes are to be levied and the county auditors shall include in the statement furnished pursuant to Section 60754 the total value of all property so described.

60757. The said auditors must then compute and enter in a separate column in the assessment book or assessment books, to be headed "Community Services District Tax" the respective sums in dollars and cents or dollars or cents to be paid as a district tax on the property therein enumerated and assessed as being in the district, using the rate or rates of levy so fixed by the board and the assessed value as found in such assessment books.

60758 Such taxes so levied shall be collected at the same time and in the same manner as county taxes; and when collected the net amount, as ascertained as hereinafter provided, shall be paid to the county treasurer for the district, under the general requirements and penalties provided by law for the settlement of other taxes.

60759 All taxes levied under the provisions of this law shall be a lien on the property on which they are levied; and the enforcement of the collection of such taxes may be had in the same manner and by the same means as is provided by law for the enforcement of liens for state and county taxes, all the provisions of law relating to the enforcement of the latter being hereby made a part of this law, so far as applicable

60760 Whenever any real property situate in any district has been sold for taxes and has been redeemed, the money paid for such redemption shall be apportioned and paid by the county treasurers receiving the same to such district, in the proportion which the tax due to such district bears to the total tax for which such property was sold.

60761. Each county auditor and tax collector affected by the provisions of this act shall annually file with the board of supervisors of his county itemized statements showing the additional expense to his office caused by the performance of the duties imposed upon him or his office under the provisions of this act, and upon the filing of such statements the board of supervisors shall, by an order spread upon its minutes, deduct such expenses from the tax money of the district, while in the hands of the tax collector, and transfer the amount deducted into the county salary fund, provided, that not more than one-half of 1 percentum on the amount collected shall be so charged or deducted by any county. The boards of supervisors of such counties may provide such extra help for their county offices or officers as in their judgment may be necessary for the proper performance of their duties hereunder.

PART 7 CHANGES IN ORGANIZATION

CHAPTER 1. ANNEXATION

60800 Land not a part of the district whether or not contiguous to it or to other portions added to the district, and consisting of any unincorporated territory may be annexed to the district.

60801. The land annexed shall be susceptible of service by the district and of being benefited by the district.

60802. A majority in number of the holders of title to any tract of land proposed to be annexed and who are also the holders of title to a majority in acreage of the land, or a majority in number of the voters residing within the tract, may file with the secretary a petition signed by them containing a description of the land proposed to be annexed sufficient to identify it and praying that the land be annexed in the district.

60803 A guardian, executor, administrator, or other person holding property in a trust capacity under appointment of court may sign any petition or protest provided for in this article when authorized by the proper court, which authorization may be made without notice.

60804. The petition may consist of one or more separate instruments and each signature thereto shall be acknowledged or proved in the manner required to entitle an instrument to be recorded.

60805. The last equalized assessment roll of each county containing land proposed by the petition to be included is prima facie evidence of the ownership of the land in that county proposed to be annexed and the names and number of the holders of title to the land.

60806. If the owners of a majority in acreage of the land described in the petition file a written protest at or before the hearing on the petition, the land shall not be annexed to the district.

60807. The secretary shall commence the publication of a notice of the filing of the annexation petition not more than forty days after the filing of the petition

60808. The notice shall be published in a newspaper of general circulation circulated within the district at least twice with an interval of at least six days between the first and last publication.

60809. The notice shall contain:

(a) A statement of the purpose of the petition.

(b) A description of the land proposed to be annexed.

(c) The time of the hearing.

(d) An announcement that any persons interested in the proposed annexation may appear at the office of the board at the time of the hearing and file objections in writing showing cause, if any they have, why the land or any of it should not be annexed as proposed in the petition.

60810. The time of the hearing specified in the notice shall be the regular meeting of the board next after the giving of the notice is complete

60811 The secretary shall, within two days after first publication of the notice, mail a copy to each person who has not signed the petition and to whom any land proposed to be annexed to the district was assessed on the last equalized assessment roll of the county containing that land at that person's address appearing on the assessment roll.

60812. Irregularity or defect in mailing or failure to mail copies of the notice shall not in any manner impair nor invalidate the annexation of the land to the district.

60813. The petitioners shall advance to the secretary the cost of publication and mailing of the notice of the annexation hearing, and unless so advanced at the time of filing the petition or as provided by the board the secretary shall not publish nor mail the notice.

60814 At the time and place specified in the notice or at the time to which the hearing may be adjourned the board shall hear the petition and all objections to it presented in writing.

60815 The board after the hearing of any annexation petition shall by ordinance order the annexation of all or any part of the land described in the petition when as to the land to be annexed the board finds that the following are true:

(a) The petition complies with this chapter.

(b) The annexation of the land is authorized by this chapter

(c) The annexation will be for the best interest of the district

(d) The annexation of the land will be for the best interest of the land

60816. The board shall not determine that only a portion of the land shall be annexed unless the petitioners include a majority in number of the holders of title to the portion of the land which is to be annexed and represent a majority in acreage of that land.

60817 The annexation ordinance shall contain a description of the land annexed to the district sufficient to identify the land.

60818. A finding by the board in the annexation ordinance in favor of the genuineness and sufficiency of the petition for annexation and notice of the hearing of it is conclusive against all persons except the State upon suit by the Attorney General commenced within six months after the adoption of the ordinance annexing land to the district

60819. The board, without petition except as required by the laws of the United States, may by resolution propose the annexation to the district of any public land of the United States which might, if privately owned, be annexed on petition.

60820. After the adoption of a resolution pursuant to Section 60819, the secretary shall publish a notice and otherwise comply with Sections 60807 to 60813, inclusive.

60821. The board shall hold a hearing pursuant to the notice and if it finds that all requirements of this chapter and of the laws of the United States have been complied with, and that the annexation of all or part of the land is authorized by this chapter and will be for the best interest of the district and of the land to be annexed, the board shall by ordinance describe the land which is to be annexed and declare that the land is annexed to the district.

60822. If no petition for the holding of an election for the disapproval and veto by the electors of any ordinance annexing land to the district is filed within the period provided by Section 60451 after the adoption of the ordinance, or if the petition is filed and at the election thereon the voters shall not disapprove and veto the ordinance, it shall be effective.

60823. If the ordinance annexing land to the district is effective, the president and secretary shall, if no petition for disapproval and veto of such ordinance is filed within the time provided by law, or if such petition is filed and upon the election the electors shall not disapprove and veto said ordinance, file with the Secretary of State and with the county recorder of the county in which the district is situated certified copies of the ordinance and certificates stating said facts.

60824 Within 10 days after he receives the certified copies of the ordinance and certificate of the president and secretary the Secretary of State shall issue his certificate reciting the annexation to the district of the land, describing it, and shall transmit to and file with the county clerk of the county in which the district is situated a certified copy of the certificate

60825. From and after the date of the certificate of the Secretary of State the land therein described is annexed to the district and forms a part thereof and is subject to existing bond issues and indebtedness of the district.

60826. When the board finds that the annexation of any land without condition would work an injury as to the land already within the district, the board may by resolution prescribe any conditions upon the annexation that the board deems just, which may include:

(a) Any condition which the board deems to be reasonably necessary to avoid injury as to the land already in the district.

(b) Payment of special taxes upon the land to be annexed.

(c) Special rates for district services to the land proposed to be included

(d) A requirement that the land shall be annexed to and form a part of any improvement district then existing within the county water district.

(e) A requirement that the land to be annexed shall constitute one or more additional improvement districts

(f) A requirement that the owners of the land to be annexed pay to the district a specific sum of money representing an equitable share of the cost of district facilities and improvements which benefit the land to be annexed.

60827. If any conditions are prescribed by the board, it shall adjourn the hearing for not less than 30 nor more than 60 days

60828. If at or prior to the adjourned hearing written objections to the annexation of the land subject to the conditions, signed and acknowledged by the majority in number of the holders of title to the land proposed to be annexed to the district and representing a majority in acreage of the land are filed with the secretary, then the board shall by resolution at the hearing dismiss the petition.

60829. If the objections have not been so filed at the adjourned hearing the board may by ordinance declare that the land is annexed to the district subject to the prescribed conditions.

60830. Without any other proceedings than those necessary to comply with the laws of the United States and regulations issued thereunder, the board may by any ordinance providing for annexation to the district of any public land of the United States impose upon that land any conditions it deems just.

CHAPTER 2. DISSOLUTION

60850. Any district may be dissolved in the manner provided in this chapter.

60851 Fifteen percent of the electors or the owners of 15 percent in assessed value of the land and improvements in the district may propose the dissolution of the district by a petition filed with the secretary.

60853. The latest general index of the books of affidavits of registration of voters and latest equalized assessment rolls of the county in which the district is situated are prima facie evidence of each of the following:

(a) The number and names of the electors

(b) The value of the land and improvements in the district.

(c) The ownership of the land and improvements.

(d) The values of the individual parcels

60854. The petition for dissolution shall set forth all of the following:

(a) When the district was formed.

(b) Whether the district is or is not serving consumers of utility services.

(c) The amount of the bonded indebtedness, if any, the unpaid balance, and the amount of matured bonds.

(d) The amount of indebtedness other than bonded or a statement that there is none

60856 The books and records of the district are prima facie evidence of the facts required to be stated in the petition.

60857. No district shall be dissolved while there is any unmatured bonded indebtedness outstanding.

60858. Upon receipt of the petition for dissolution the secretary shall within 40 days publish a notice of the petition in a newspaper of general circulation circulated within the district at least twice with an interval of at least six days between the first and last publication

60859. The notice shall state that:

(a) A dissolution petition has been filed with the secretary.

(b) The board will hear the petition and all objections to it at the regular meeting of the board next after the giving of the notice is complete.

(c) The time of the hearing.

(d) The place of the hearing

(e) That persons interested in the proposed dissolution may appear at the time and place mentioned to show cause, if any they have, why an election should not be held on the question of the dissolution of the district.

60860 At the hearing, or any adjournment thereof, the board shall take evidence upon the petition, hear the petition, and hear all persons appearing either for or against the holding of an election to dissolve the district.

60861. The board may adjourn the hearing from time to time, not exceeding in all 60 days.

60862. If at the hearing the board determines that the requirements of this chapter have been complied with, it shall by resolution:

(a) Determine the compliance.

(b) Provide for and order the holding of a district election on a specified date within 60 days thereafter to submit to the voters the proposition whether or not the district shall be dissolved.

(c) Recite the filing of the petition for dissolution.

60873. If a majority of the votes cast are in favor of the dissolution of the district, the board shall by resolution entered on its minutes do each of the following:

(a) State that a majority of the votes cast at the election favor the dissolution.

(b) Declare the district dissolved.

60874. Upon the entry in the minutes of the board of the resolution declaring the district dissolved the district is dissolved.

60875 A certified copy of the resolution shall be filed with the Secretary of State and a certified copy recorded with the county recorder of each county containing any part of the district.

60876. If less than a majority of the votes cast at the dissolution election favor the dissolution of the district, the dissolution is defeated and no new petition for dissolution shall be filed within one year after the election.

60877. Any indebtedness of the district outstanding at the time of the dissolution shall be paid as provided in this chapter.

60878. If the district has any assets, the ownership thereof vests in the board of supervisors of the county in which such district is located.

60879. The board of supervisors in which title to district assets vests shall sell the assets and use the receipts to pay the indebtedness of the district as it matures.

60880 If an insufficient amount is secured from the sale of the assets to pay the indebtedness, the board of supervisors of the county in which the greatest portion of the district area is located shall from time to time cause taxes to be levied on the property in the district liable to taxation for the indebtedness and collected in a sufficient amount to pay the balance of the indebtedness as it matures.

60881 If the receipts from the sale of the assets of the district are more than sufficient to pay its indebtedness, the remaining amount shall be paid into the general funds of each county in which the district is located, in the same proportions as the assessed values of the property within the portion of each county within the district.

CHAPTER 3. EFFECT OF INCLUSION IN UNINCORPORATED TERRITORY

60890 Whenever all the territory comprising a district becomes a part of any incorporated city, the legislative body of the city shall succeed to the powers of the board and shall thereafter, for all purposes, become board of directors of the district All the property, records and documents of such district must be transferred and conveyed by the board to such legislative body upon the incorporation of such city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3011—An act to amend Section 18853 of the Government Code, relating to state employment, in respect to salaries on per diem or hourly bases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18853", and insert "Sections 19360 and 19361"; and in lines 2 and 3 of the title, strike out "salaries on per diem or hourly bases" and insert "transfers".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "18853", and insert "19360".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, of said bill, strike out lines 3 to 14, inclusive, and insert:

"19360 An appointing power may at any time transfer any employee under his jurisdiction from one position to another in the same class or in another class having substantially similar duties, responsibilities, and qualifications, and substantially the same salary range [ ] *and may transfer any employee from one location to another whether or not it involves a change in position.* [In every such case the appointing power shall give written notice of his action to the board, according to board rule.]

SEC 2. Section 19361 of the Government Code is amended to read:

19361. *Any order transferring an employee from one location to another which reasonably requires a change in the employee's official headquarters may be protested by the employee to the board on the grounds that it is made for the purpose of harassing or disciplining him.* [If a transfer is protested to the board by an employee as made for the purpose of harassing or disciplining him,] *Notwithstanding such a protest,* the appointing power may require the employee to transfer pending *decision on the protest by the board.* [approval or disapproval of the transfer by the board.] If

the board disapproves the transfer, the employee shall be returned to his former position [,] *and* shall be paid the regular travel allowance for the period of time he was away from his original headquarters [,] and his moving costs both from and back to the original headquarters [shall be paid] in accordance with Board of Control rules."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3247—An act to amend Section 51 of the Labor Code, relating to the Director of Industrial Relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 51", and insert "Sections 51, 70.5, 77.5, 80, and 145".

Amendment No. 2

In line 1 of the title of said bill, strike out the second "the"; and strike out all of line 2, and insert "salaries in the Department of Industrial Relations."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, following line 9, insert

"SEC. 2. Section 70.5 of said code is amended to read:

70.5 The salary of the Chief of the Division of Industrial Welfare shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 3. Section 77.5 of said code is amended to read:

77.5 The salary of the Chief of the Division of Housing shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 4 Section 80 of said code is amended to read.

80. The salary of the Labor Commissioner shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum.

SEC 5. Section 145 of said code is amended to read:

145. [Salary of Chief.] The salary of the Chief of the Division of Industrial Safety shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3248—An act to amend Section 112 of the Labor Code, relating to the Industrial Accident Commission

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, after "annum", insert "except the chairman who shall receive a salary of thirteen thousand dollars ($13,000) per annum".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1309—An act to amend Section 10 of the Public Utilities Act, relating to the commissioners, officers and employees of the Public Utilities Commission, their qualifications and salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "Act", insert "and Section 304 of the Public Utilities Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 10 of the Public Utilities Act is amended to read

Sec. 10. (a) The annual salary of each commissioner shall be [twelve thousand dollars ($12,000)] *seventeen thousand five hundred dollars ($17,500)*. All officers, experts, engineers, statisticians, accountants, examiners, inspectors, clerks and employees of the commission shall receive such compensation as may be fixed by the commission. The commissioners shall be civil executive officers and their salaries as fixed by law shall be paid in the same manner as are the salaries of other state officers. The salary or compensation of every person employed by the commission shall be paid monthly from the funds appropriated for the use of the commission, after being approved by the commission, upon claims therefor to be audited by the Board of Control.

(b) All expenses incurred by the commission pursuant to the provisions of this act, including the actual and necessary traveling and other expenses and disbursements of the commissioners, and their employees, incurred while on business of the commission, and including the premium or charge for bonds given by surety companies for employees of the commission when required by the commission; provided, however, that no such premium or charge shall exceed one-half of 1 percent per annum of the amount of such bond, shall be paid from the funds appropriated for the use of the commission, after being approved by the commission, upon claims therefor to be audited by the Board of Control.

SEC. 2. Section 304 of the Public Utilities Code is amended to read:

304. The annual salary of each commissioner shall be [twelve thousand dollars ($12,000)] *seventeen thousand five hundred dollars ($17,500)*. The commissioners shall be civil executive officers and their salaries as fixed by law shall be paid in the same manner as are the salaries of other state officers.

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 1 of this act is repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1308—An act to amend Section 4 of the Public Utilities Act, relating to the appointment of an attorney at law to act as attorney for the Public Utilities Commission, prescribing his authority and duties and prescribing and fixing the compensation to be paid to said attorney for services rendered by him.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "Act", insert "and Section 307 of the Public Utilities Code".

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 307 of the Public Utilities Code is amended to read:

307. The commission may appoint as attorney to the commission an attorney at law of this State, who shall hold office during the pleasure of the commission. The attorney shall represent and appear for the people of the State of California and the commission in all actions and proceedings involving any question under this part or under any order or act of the commission. If directed to do so by the commission, he shall intervene, if possible, in any action or proceeding in which any such question is involved. The attorney shall commence, prosecute, and expedite the final determination of all actions and proceedings directed or authorized by the commission; advise the commission and each commissioner, when so requested, in regard to all matters in connection with the powers and duties of the commission and the members thereof; and generally perform all duties and services as attorney to the commission which the commission may require of him. *The annual salary of said attorney is sixteen thousand five hundred dollars ($16,500).*

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1802—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6 of the printed bill, strike out "also".

Amendment No. 2

On page 1, line 7, of said bill, strike out "and fix the salaries of", and insert "as civil executive officers".

Amendment No. 3

On page 1, line 9, of said bill, strike out "Each of such appointees is a civil exe-".

Amendment No. 4

On page 1 of said bill, strike out all of lines 10 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1060—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of

eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 27, 1951, strike out "15826", and insert "15835".

Amendment No. 2

On page 1, line 1, of said bill, strike out "15826", and insert "15835".

Amendment No. 3

On page 2, line 50, of said bill, strike out ", secretary and treasurer", and insert "and a secretary".

Amendment No. 4

On page 4 of said bill, strike out lines 42 to 51, inclusive.

Amendment No. 5

On page 5, line 1, of said bill, strike out "(o)", and insert "(n)".

Amendment No. 6

On page 5 of said bill, strike out lines 3 to 8, inclusive, and insert

"15806. The authority may issue revenue bonds in its name and as its obligation; but no bond issued or sold pursuant to this part shall be or become a lien, charge or liability against the State of California or against the authority or against the property or funds of either, except to the extent of the pledge of revenues or part of revenues of the project, as may be provided by the indenture pursuant to which revenue bonds are issued; and every such bond issued by the authority shall contain a recital on the face thereof, stating that neither the payment of the principal nor any part thereof, nor any interest thereon, constitutes a debt, liability or obligation of the State of California. The authority has no power at any time or in any manner to pledge the credit or taxing power of the State or any of its local agencies."

Amendment No. 7

On page 5 of said bill, between lines 47 and 48, insert

"15809 The authority may fix the times, form, manner, terms and conditions for the sale or other disposition of any authorized issue of revenue bonds, and may provide that the bonds shall be sold on the basis of the lowest net interest cost to the State, the coupon rates to be fixed by the successful bidder on the sale of bonds, not exceeding the maximum rate herein provided. The authority may authorize the State Treasurer to sell bonds at less than their par or face value, but no bond may be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser more than 6 percent per year, payable semiannually, according to standard tables of bond values.

Immediately after the adoption of a resolution by the authority directing the preparation of any bonds authorized under this part, the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds of the denominations, and in accordance with the specifications, contained in such resolution."

Amendment No. 8

On page 5 of said bill, strike out lines 48 and 49, and insert

"15810. The bonds of the authority shall be of such series,".

Amendment No. 9

On page 6, line 3, of said bill, strike out "be payable,"; and strike out line 4, and insert "be sub-".

Amendment No. 10

On page 6 of said bill, after line 8, insert

"Both the principal and interest shall be payable in lawful money of the United States, at the office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer.

15811. Whenever the authority deems that it will increase the salability or the price of the bonds to obtain a legal opinion as to the validity of the bonds prior to or after the sale, from attorneys other than the Attorney General, the authority may authorize the State Treasurer to obtain such a legal opinion. Payment for such legal services shall be made from the proceeds of the sale of the revenue bonds covered by such legal opinion, or from any other funds available to the authority, on warrant of the State Controller duly drawn for that purpose

15812. All costs and expenses incident to the advertising, sale, and issuance of the bonds may be paid out of the proceeds of the sale of the bonds with respect to which such costs and expenses are incurred Interest on the bonds may be paid out of the proceeds of the sale of the bonds covered by such interest, during the actual construction of any project for the acquisition, construction or completion of which the bonds have been issued, and for such period thereafter, not to exceed two years, as may be provided in the indenture."

Amendment No. 11

On page 6, line 9, of said bill, strike out "15810", and insert "15813".

Amendment No. 12

On page 6 of said bill, strike out lines 11 and 12, and insert "with the facsimile signature of the State Treasurer as trustee, a facsimile of the corporate seal of the Authority, and the attestation of the secretary of the authority, either by original signature or by a signature stamp Coupon".

Amendment No. 13

On page 6, line 14, of said bill, strike out "treasurer of the authority", and insert "State Treasurer".

Amendment No. 14

On page 6 of said bill, strike out lines 20 and 21, and insert

"15814 The bonds authorized to be issued under this part shall be sold by the State Treasurer, to the highest bidder, for cash, at public sale upon sealed bids, in such parcels and numbers as shall be specified in a resolution adopted by the authority, authorizing and requesting such sale Due notice of the time and place of sale of".

Amendment No. 15

On page 6, line 22, of said bill, strike out "authority", and insert "State Treasurer".

Amendment No. 16

On page 6, line 28, of said bill, strike out "authority", and insert "State Treasurer".

Amendment No. 17

On page 6, line 44, of said bill, strike out "15812", and insert "15815".

Amendment No. 18

On page 7, line 10, of said bill, strike out "15813", and insert "15816".

Amendment No. 19

On page 7 of said bill, strike out lines 13 and 14; and in line 15, strike out "restricting the credit to", and insert

"(a) Pledging".

Amendment No. 20

On page 7, line 36, of said bill, strike out "15814", and insert "15817"

Amendment No. 21

On page 8, line 3, of said bill, strike out "15815", and insert "15818".

Amendment No. 22

On page 8, line 5, of said bill, strike out "15816", and insert "15819".

Amendment No. 23

On page 8 of said bill, between lines 18 and 19, insert

"15820. The State Treasurer shall act as trustee for the authority and the holders of the bonds issued under this part, and the authority may authorize the trustee to act on behalf of the holders of the bonds, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

The authority shall, by resolution, prescribe the duties and powers of such trustee with respect to the issuance, authentication, sale and delivery of the bonds, and the payment of principal and interest thereof, the redemption of the bonds, the registration

and discharge from registration of the bonds, and the management, exclusive of the investment or reinvestment thereof, of any sinking fund or other funds provided as security for the bonds."

Amendment No. 24

On page 8, line 19, of said bill, strike out "15817", and insert "15821".

Amendment No. 25

On page 9 of said bill, strike out line 9, and insert "15822. A trustee appointed pursuant to Section 15821".

Amendment No. 26

On page 9, line 31, of said bill, strike out "15819", and insert "15823".

Amendment No. 27

On page 9 of said bill, strike out lines 39 to 51, inclusive; and on page 10, strike out lines 1 to 15, inclusive, and insert

"15824 The proceeds from the sale of all bonds authorized under the provisions of this part shall be deposited forthwith by the State Treasurer, on order of the State Controller, in the State Treasury to the credit of a fund to be designated as the State Public Works Construction Fund, which fund is hereby created The money in the construction fund shall be expended pursuant to claims filed by the authority with the State Controller, for the purposes authorized by this part, or as provided in the indenture, for the acquisition, construction, and completion of the plan or project, *including the payment of the cost of all surveys, preparation of plans and specifications,* and the payment of all architectural, engineering, legal, financial and administrative costs, and in addition, for the payment of all costs and expenses of, and incident to, the issuance and sale of bonds, and the payment of interest due or to become due on the bonds during the period of actual construction, and for such further period as may be specified in the indenture for the issuance of the bonds, not exceeding two years after the period of construction

15825. All revenues received from the operation of any project acquired or constructed by the authority under the provisions of this title, and all other money received by the authority from whatever source derived, the disposition of which is not otherwise provided by this part, shall be transmitted by the authority at least once in every calendar month to the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the State Public Works Revenue Fund, which fund is hereby created

The moneys in the Revenue Fund shall be expended for the payment of the costs of operation and maintenance of the projects authorized by this part, including administrative expenses of the authority, and for such other purposes as may be *provided in the indenture, and subject to the restrictions provided* by law or the indenture, for such purposes as may be authorized by resolution of the authority.

15826 All moneys in the Revenue Fund, except that part required to pay the costs and expenses authorized by Section 15825, shall be set aside at regular intervals as provided in the indenture or by resolution of the authority, and, on order of the State Controller, shall be transferred to the State Public Works Sinking Fund, which fund is hereby created.

All money in the Sinking Fund shall be pledged to, and expended for, the payment of:"

Amendment No. 28

On page 10 of said bill, between lines 29 and 30, insert

"15827 The authority may provide in the indenture, or by resolution, for the allocation of financial and administrative costs of the authority during the period of actual construction, and for such further period as may be specified in the indenture for the issuance of the bonds, not exceeding two years, between the moneys in the State Public Works Construction Fund and the moneys in the State Public Works Revenue Fund, and may likewise provide for the allocation, between the moneys in the construction fund derived from the proceeds of the bond issues covering each separate project, of that portion of said total financial and administrative expenses that are allocated to the construction fund as herein provided

15828. Subject to such limitations as may be provided in the indenture providing for the issuance of revenue bonds, and subject to the obligations of the authority to its bondholders, the Director of Finance is authorized to invest and reinvest surplus moneys in the State Public Works Construction Fund and in the State Public Works Sinking Fund, as determined by resolution of the authority, in bonds or interest-bearing notes or obligations of the United States, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest, or bonds of this State, or those for which the full faith and credit of this State are pledged for the payment of principal and interest, or in the bonds of any county, city, metropolitan water district, municipal utility district, or school district of this State All securities or other investments made under the provisions of this part shall be held by the State Treasurer as custodian thereof.

All interest received or other earnings derived from such investments shall be collected by the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the fund from which were made the investments from which such interest or other earnings were derived."

Amendment No. 29

On page 10, line 30, of said bill, strike out "15821", and insert "15829".

Amendment No. 30

On page 11 of said bill, between lines 10 and 11, insert

"All of the provisions of Sections 1720 through 1980 of the Labor Code and all of the provisions of the State Contract Act shall be applicable to the provisions of Part 11 of this code."

Amendment No. 31

On page 11, line 11, of said bill, strike out "15822", and insert "15830".

Amendment No. 32

On page 11, line 23, of said bill, strike out "15823", and insert "15831".

Amendment No. 33

On page 11, line 29, of said bill, strike out "15824", and insert "15832".

Amendment No. 34

On page 11, line 35, of said bill, strike out "15825", and insert "15833".

Amendment No. 35

On page 11, line 47, of said bill, strike out "15826", and insert "15834"

Amendment No. 36

On page 12 of said bill, between lines 3 and 4, insert

"15835. The authority may allocate, out of any funds available to it, amounts sufficient to pay the costs of initially preparing, advertising, and selling, and of obtaining legal opinions on the validity of, revenue bonds, as provided in this part, which amounts shall be repaid to the fund from which they were expended, out of the proceeds from the sale of revenue bonds with respect to which such costs were incurred The amounts so allocated shall be expended pursuant to claims filed by the State Treasurer with the State Controller."

Amendment No. 37

On page 12 of said bill, strike out lines 7 to 10, inclusive, and insert "to pay expenses incurred by the authority or the State Treasurer under the provisions of Part 11, Division 3, Title 2, of the Government Code, in commencing the work of the authority, including the cost of having bonds prepared and in advertising their sale or their prior redemption, and for obtaining legal opinions as to the validity of the bonds, as provided in this part. Whenever bonds are sold, out of the first money realized from the sale of said bonds, there shall be redeposited in the General Fund such sums as have been expended therefrom with respect to said bonds or with respect to purposes for which the proceeds of said bonds may be expended, as provided in the indenture or by this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3174—An act to add Sections 3011.1 and 3301.1 to the Public Resources Code, relating to oil and gas, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 3402, 3403, 3423, 3426, and 3429, and to amend and renumber Sections 3410, 3411, 3418, 3420, 3421, and 3429 of the Public Resources".

Amendment No. 2

In line 2 of the title of said bill, after "Code," insert "to repeal Sections 3405, 3406, 3407, 3408, 3409, 3412, 3413, 3414, 3415, 3416, 3417, 3419, 3425, and 3428 thereof, and to add Sections 3407, 3408, 3409, 3410, 3415, 3416, 3417, 3418, 3419, 3420, and 3428 thereto,".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 25, inclusive, and strike out page 2, and insert

"SECTION 1. Section 3402 of the Public Resources Code is amended to read:

3402. There [shall] *is* annually [be] imposed upon the person operating each oil well in this State, or owning royalty or other interests in respect to the production from such well, a charge which shall be payable to the State [Treasurer] *Controller* and which shall be computed at a uniform rate per barrel of oil produced from such well *for the preceding calendar year. The charge shall be apportioned among all of* such persons in fractional amounts proportionate to their respective fractional interests in respect to the production of such well, but the whole of such charge shall be payable by the operator, who shall withhold their respective proportionate shares of such charge from the amounts otherwise payable or deliverable to such owners of royalty or other interests.

SEC. 2 Section 3403 of said code is amended to read:

3403. There [shall] *is* annually [be] imposed upon the person operating each gas well in this State, or owning royalty or other interests in respect to the production from such well, a charge which shall be payable to the State [Treasurer] *Controller* based upon the amount of gas sold in the preceding calendar year, and which shall be computed at *a uniform rate per thousand cubic feet The charge shall be apportioned* among all of such persons in fractional amounts proportionate to their respective fractional interests in respect to the production of such well, but the whole of such charge shall be payable by the operator, who shall withhold their respective proportionate shares of such charge from the amounts otherwise payable or deliverable to such owners of royalty or other interests.

SEC. 3. Sections 3405, 3406, 3407, 3408, and 3409 of said code are repealed.

SEC. 4. Section 3410 of said code is amended and renumbered to read:

[3410.] *3405.* The department shall, on or before the first Monday in March in each year, acting in conjunction with the Department of Finance, make an estimate of the amount of money which will be required to carry out the provisions of this chapter *for the next succeeding fiscal year*.

SEC 5 Section 3411 of said code is amended and renumbered to read:

[3411.] *3406.* At the time of making the estimate, the department shall report to the Department of Finance the amount of money in the Petroleum and Gas Fund on the day the estimate is made, less the amount of money necessary for the support of the Division of Oil and Gas for the remainder of the fiscal year. The amount of the estimate shall not exceed the amount of money necessary for the support of the Division of Oil and Gas for the ensuing fiscal year less the amount estimated to remain in the Petroleum and Gas Fund at the end of the fiscal year plus a reserve fund of fifty thousand dollars ($50,000).

SEC 6 Section 3407 is added to said code to read

3407. (a) After the estimate provided for in Section 3405 is made, and on or before the first Monday in April, the department, acting in conjunction with the Department of Finance, shall determine the rate or rates which will produce, as nearly as may be, the sums necessary to be raised as provided in Sections 3405 and 3406, basing such determination on the reports of production of oil and gas for the preceding calendar year in the possession of the department and upon such other pertinent information as *may be available to the department. Within the same time the department shall* extend into the proper column of the record of assessments the amount of the estimated charges due from each person

(b) On the third Monday in July of each year the department shall cause a notice to be published one or more times in a daily or weekly or semiweekly newspaper of general circulation published in the Counties of Fresno, Kern, Los Angeles, Orange, Ventura, and Santa Barbara, and in any other counties which produce oil or gas charged pursuant to this article, if one is published therein, otherwise in a newspaper of general circulation published in an adjoining county

The notice shall state the rate or rates established to be paid per barrel of oil produced and upon the amount of gas sold in the preceding calendar year and that all

persons liable for such charges are required to file returns with the State Controller and pay one-half of such charges to the State Controller on the first Monday in July of the current year.

SEC. 7. Section 3408 is added to said code, to read:

3408. The department shall prescribe the form and contents of all returns for the making the charge or for other purposes to carry out the intent and provisions of this article, which form shall be mailed in duplicate to the persons assessed under this article, together with a statement of the current rate of tax determined as provided in this article. The form shall be mailed by the department on or before the first Monday in May. Failure of the department to mail the form or failure of the person liable for payment of the charges to receive it shall not relieve him of his responsibility to make a return and pay the charges imposed by this article.

SEC. 8. Section 3409 is added to said code, to read:

3409. The charges imposed by and pursuant to this article are due from and shall be paid by the person who is operating the property subject to assessment on the first Monday in March, except that, where the actual operation of any well has changed hands during the period for which the charge is imposed, the charge shall be apportioned to each operator upon the basis of oil or gas produced during the period, and the lien provided for in Section 3423 shall be a lien against the property of each operator. If the name of the owner is unknown to the department the assessment shall be made against unknown owners.

SEC. 9. Section 3410 is added to said code, to read:

3410. Every person chargeable under this article shall, on or before the first Monday in July of each year, file a return with the Controller. The return shall show the amount of charges due and all other items or information demanded by the return which are necessary to carry out this article. The return shall be verified by such person or officer as the department may designate.

The return shall show the name of the producer who filed the monthly reports of oil or gas production pursuant to Section 3227.

The return shall be accompanied by payment of the amount of charges due as provided by Section 3412, as shown by such return at the rate of charge fixed as provided by this article.

SEC. 10. Sections 3412, 3413, 3414, 3415, 3416, 3417, and 3419 of said code are repealed.

SEC. 11. Section 3418 of said code is amended and renumbered to read:

[3418] *3411*. The department shall prepare each year a record called the "Record of *Estimated* Assessments and Charges for the Petroleum and Gas Fund" in which shall be entered each *estimate of the* assessment and levy or charge [made by it] *payable* upon the property assessed and charged under this article, describing the property assessed. The assessments may be classified and entered in such separate parts of the record as the department may prescribe. If such charges and assessments become delinquent as provided in Section [3420] *3412* of this code, in addition to the information contained in the "Record of *Estimated* Assessments and Charges for the Petroleum and Gas Fund" as herein provided, the department shall furnish to the State Controller upon his request the name and address of any owner of property assessed as such name and address last appears in the office of the tax assessor for *the* county in which such land or a major portion thereof is situate.

SEC. 12. Section 3420 of said code is renumbered and amended to read:

[3420] *3412*. The charges levied and assessed under this article are due and payable *to the Controller* on the first Monday in July in each year. One-half thereof shall be delinquent at six o'clock p.m., on the sixth Monday after the first Monday in July, and, unless paid prior thereto, 15 percent shall be added to the amount thereof. Unless paid prior to six o'clock p.m., on the first Monday in February next thereafter, an additional 5 percent shall be added to the amount thereof.

The remaining one-half of the charges shall be delinquent at 6 o'clock p.m., on the first Monday in February next succeeding the day upon which they became due and payable. If not paid prior thereto, 5 percent shall be added to the amount thereof.

SEC. 13. Section 3421 of said code is renumbered and amended to read:

[3421] *3413*. Within 10 days after the receipt of the record of *estimated* assessments and charges for the Petroleum and Gas Fund, the Controller shall begin publication of a notice [to] *which shall* appear daily for five days in one daily newspaper of general circulation published in each of the Counties of Fresno, Kern, Los Angeles, Orange, Ventura, and Santa Barbara, and any other counties which produce oil or gas charged pursuant to this article, if one is published therein, otherwise for at least two times in a weekly or a semiweekly paper of general circulation published therein. If there is neither a daily nor weekly nor semiweekly paper of general circulation published in any one of such counties, the publication of the notice for that county shall be made in a similar manner in a newspaper of general circulation published in an adjoining county.

SEC. 14. Section 3422 of said code is renumbered and amended to read:

[3422] *3414*. The Controller's notice shall state:

(a) That the Controller has received from the department the record of *estimated* assessments and charges for the Petroleum and Gas Fund.

(b) That the *returns of the persons liable for charges are due and the* charges [therein] assessed and levied *by this article* are due and payable on the first Monday in July.

(c) That one-half thereof will be delinquent at 6 o'clock p.m., on the sixth Monday after the first Monday in July, and unless paid to the [State Treasurer] *Controller* prior thereto, 15 percent will be added to the amount thereof, and unless paid prior to 6 o'clock p.m., on the first Monday in February next thereafter an additional 5 percent will be added to the amount thereof.

(d) That the remaining one-half of the charges will become delinquent at 6 o'clock p.m., on the first Monday in February next succeeding the day upon which they become due and payable, and if not paid to the [State Treasurer] *Controller* prior thereto, 5 percent will be added to the amount thereof.

Costs of publication shall be paid from the Petroleum and Gas Fund.

SEC. 15. Section 3415 is added to said code, to read:

3415. The Controller shall transmit all returns to the department for audit of the production of oil and gas as shown therein.

As soon as possible after the sixth Monday after the first Monday in July, the Controller shall notify the department, giving the names of all persons listed in the record of estimated assessments and charges who have failed to make a return as provided in this article.

SEC. 16. Section 3416 is added to said code, to read:

3416. In any case where the audit by the department discloses an overpayment, the department shall so certify to the Controller, who shall repay the amount of the overpayment to the person making it out of the Petroleum and Gas Fund.

SEC. 17. Section 3417 is added to said code, to read:

3417. (a) If the department is dissatisfied with the return filed or amount of charges paid by any person, it may make a deficiency determination of the charges required to be paid by the person based upon information contained in the return or upon any information in its possession. All deficiency determinations, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date the first installment of the charge was due.

If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this article or authorized rules, a penalty of 10 percent of the amount of the determination shall be added thereto.

If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade the charge, a penalty of 25 percent of the amount of the determination shall be added thereto.

(b) The department shall give the person written notice of its determination. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the person at his address as it appears in the records of the department. Service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address.

(c) Except in the case of a fraudulent return or neglect or refusal to make a return, every notice of a deficiency determination shall be mailed to the person within three years after the return of the person is filed.

SEC. 18. Section 3418 is added to said code, to read:

3418. (a) If any person from whom charges are due and payable under this article fails, neglects, or refuses to file a return within the time required, the department shall make an estimate of the amount of the production of oil and gas by the person for the preceding calendar year and shall compute and determine the amount of charges payable by the person, adding to the amount so determined a penalty equal to 10 percent thereof.

All determinations so made, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date the first installment of the charge was due.

If the neglect or refusal of any person to file a return is due to fraud or an intent to evade the charges, a penalty of 25 percent of the charge shall be added thereto in addition to the 10 percent penalty.

(b) Promptly after making its determination the department shall give to the delinquent written notice of the estimate, charges, and penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

SEC. 19. Section 3419 is added to said code, to read:

3419. (a) Any person against whom a determination is made under Sections 3417 or 3418 may petition for a redetermination within 15 days after the date of mailing the notice thereof to the person. If a petition for redetermination is not filed within the 15-day period, the determination becomes final at the expiration of the period.

(b) If a petition for redetermination is filed within the 15-day period, the department shall reconsider the determination and, if the person has so requested in his petition, shall grant the person an oral hearing and shall give him 10 days' notice of the time and place of the hearing. The department may continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for redetermination becomes final 15 days after the date of mailing the notice thereof to the operator.

(c) All determinations made by the department under Sections 3417 or 3418 are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, shall be added thereto.

Payment shall be made in the form of a remittance payable to the Controller and shall be transmitted to the department together with a copy of the notice of determination which the department shall furnish for that purpose to the person against whom the determination was made.

(d) Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

SEC. 20. Section 3420 is added to said code, to read:

3420. The department shall notify the Controller of all determinations and redeterminations of charges due and payable under this article. The Controller shall keep an appropriate record thereof and shall proceed to collect the amounts of such charges, interest, and penalties as provided in this article, if such amounts are not paid when due.

SEC. 21. Section 3423 of said code is amended to read:

3423. The assessment and charges levied [under] *by* this article are a lien upon all the property of every kind and nature belonging to the persons assessed. The assessments and charges levied upon oil or gas removed from any land in this State are a lien upon the land from which the oil or gas has been extracted. The lien shall attach on the first Monday in March of each year. The lien may be enforced and the charges collected by an action by the State Controller as provided by this article.

When an assessment [shall have been levied, but] shall not have been paid prior to the first Monday in February following such levy, if the certificate of delinquency is to be recorded as hereinafter provided, the Controller shall, within twenty-five (25) days thereafter, mail a notice to the owner of the land at his last known address as it appears in the office of the county assessor for the county in which the land is situate, or if no address appears in the office of the county assessor, then to the last address of the owner of the land as last shown on the records of the said county assessor. The notice shall contain a statement of the amount of the assessment, the date upon which the assessment was [levied] *due*, the fact that the records of the Controller show the assessment to be unpaid, and shall declare that unless the assessment is paid before the first Monday in March following, the lien provided for in this section will attach.

When any person assessed shall be delinquent in the payment of the charges, interest or penalties as herein provided, the Controller may, on or before the thirtieth day of May next following the delinquency, file a certificate with the county recorder of the county in which the oil or gas was extracted, specifying the amount of the charges, interest and penalty due, the name and address of the assessee liable for the same, as it appears from his records, the name and address of the assessed owner of the land from which the oil or gas was extracted, together with its description, as it appears on the records of the county tax collector in which the property is located, that there has been compliance with all the provisions of law in relation to the computation and assessment of the charges. Upon filing said certificate the amount of the lien as above provided is determined and shall have the same force, effect and priority as a judgment lien upon the land from which the oil or gas is extracted.

A warrant may be issued by the State Controller or his duly authorized representative for the collection of any charges, interest and penalty and for the enforcement of any lien directed to the sheriff or constable, and shall have the same effect as a writ of execution. It may and shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy upon and sale of real property pursuant to a writ of execution.

Notwithstanding any provisions of law to the contrary, the owner of said land may redeem from any execution sale within a period of three years upon payment of interest, penalties and charges as provided in the case of other sales of real property under execution.

The sheriff or constable shall receive, upon the completion of his services pursuant to a warrant, and the Controller is authorized to pay to him the same fees and commissions and expenses in connection with services pursuant to said warrant as are provided by law for similar services pursuant to a writ of execution, provided, that fees for publication in a newspaper shall be subject to approval by the Controller rather than by the court; said fees, commissions and expenses shall be an obligation of the person or persons liable for the payment of said charges and may be collected from such person or persons by virtue of the warrant or in any other manner provided in this article for the collection of such charges.

In the event that the lien of the charges, penalties or interest attaches to real property from which the oil or gas is extracted and more than one parcel of property is included within the lien, the Controller may release by certificate as hereinabove provided from the lien of said charges, interest, penalties and costs, upon payment by the owner of any parcel or parcels of property of his proportionate share of the assessment of the oil or gas extracted from all land included within said lien owned by him.

The Controller may at any time release all or any portion of the property subject to the lien from the lien or subordinate the lien to other liens if he determines that the charges are sufficiently secured by a lien on other property of the taxpayer or that the release or subordination of the lien will not endanger or jeopardize the collection of such charges. A certificate by the Controller to the effect that any property has been released from the lien herein provided for or that such lien has been subordinated to other liens shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate.

It is expressly provided that the remedies provided herein of the State shall be cumulative and that no action by the Controller shall be construed to be an election on the part of the State, or of any of its officers, to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this article.

SEC. 22. Section 3425 of said code is repealed.

SEC. 23. Section 3426 of said code is amended to read:

3426. The Controller shall, on or before the thirtieth day of May next following the delinquency of any charge, bring an action in the name of the people of the State, in the county in which the property assessed is situated, to collect any delinquent charges or assessments, together with any penalties or costs, which have not been paid and which are [shown as] delinquent [upon the record of assessments and charges for the petroleum and gas fund].

SEC. 24. Section 3428 of said code is repealed.

SEC. 25. Section 3428 is added to said code to read:

3428. In the action a certificate issued by the department showing unpaid charges determined against any person shall be prima facie evidence of all of the following:

(a) The determination of the charges, the delinquency thereof, and the amount of the charges, interest, penalties, and costs due and unpaid to the State.

(b) The indebtedness of the person to the State in the amount of the charges, interest, and penalties therein appearing unpaid.

(c) The full compliance by all persons required to perform administrative duties under this article with all the forms of law in relation to the determination and levy of the charges.

SEC. 26. Section 3429 of said code is amended to read:

3429. Payment of the penalties and charges, or the amount of the judgment recovered in the action, shall be made to the State [Treasurer] *Controller*.

SEC. 27. Notwithstanding the provisions of this act, the provisions of Article 7 of Chapter 1 of Division 3 of the Public Resources Code as they read prior to the effective date of this act are continued in effect as respects the collection of all amounts due or which may become due under said article arising from charges assessed and levied thereunder prior to the effective date of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

SECOND READING OF SENATE BILLS

Senate Bill No. 13—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Bill read second time, and ordered to third reading.

Senate Bill No. 82—An act to amend Section 27367 of the Government Code, relating to recorder's fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 84—An act to repeal Section 27370 of the Government Code, relating to recorder's fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 85—An act to amend Section 27371 and to repeal Section 27374 of the Government Code, relating to the fee for recording.

Bill read second time, and ordered to third reading.

Senate Bill No. 121—An act to add Section 27361.5 to the Government Code, relating to recorder's fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 304—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 466—An act to add Sections 5438.5, 5461, 5462, 5463, 5464, 5465, 5466, and 5467, to the Public Resources Code, relating to county recreation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803.5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Bill read second time, and ordered to third reading.

Senate Bill No. 566—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Bill read second time, and ordered to third reading.

Senate Bill No. 975—An act to amend Sections 25351 and 26150 of the Government Code, and Sections 22137, 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1034—An act to add Sections 23177 and 23178 to the Government Code, relating to counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1127—An act to amend Section 38742 of the Government Code, relating to municipal water facilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Bill read second time, and ordered to third reading.

Senate Bill No. 1600—An act to add Section 25306 to the Government Code, relating to powers of boards of supervisors.

Bill read second time, and ordered to third reading.

Senate Bill No. 597—An act to amend Section 11501 of the Government Code, adding the Department of Natural Resources to the enumerated agencies to which the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code are applicable.

Bill read second time, and ordered to third reading.

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits, bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Bill read second time, and ordered to third reading.

Senate Bill No. 315—An act to add Section 12046 to the Education Code, relating to the issuance of credentials.

Bill read second time, and ordered to third reading.

Senate Bill No. 1527—An act to amend Section 5065 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 122—An act to add Section 424 to the Government Code, relating to the Official Colors of the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 212—An act to amend Section 6504 of the Public Resources Code, relating to execution of leases on public lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 537—An act to amend Section 11501 of the Government Code, relating to enumerated agencies referred to in Section 11500.

Bill read second time, and ordered to third reading.

Senate Bill No. 538—An act to amend Section 110.6 of the Business and Professions Code, relating to reports to the Governor and the Legislature by the Department of Professional and Vocational Standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 83—An act to amend Section 27366 of the Government Code, relating to recorder's fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, after "be", insert "one dollar ($1) for the first page and".

Amendment No. 2

On page 1, line 7, of said bill, strike out "per page", and insert "for each additional page".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "The minimum fee shall be one dollar ($1)."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 227—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 24, 1951, strike out "28119", and insert "28118".

Amendment No. 2

On page 1, line 1, of said bill, strike out "28119", and insert "28118".

Amendment No. 3

On page 1, line 3, of said bill, strike out "28119", and insert "28118".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1072—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951, after "Code", insert "and to amend Section 430 of the Education Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 24, insert

"SEC. 2. Section 430 of the Education Code is amended to read:

430. The annual salary of the county superintendent of schools of a county of the thirtieth class is [five thousand seven hundred dollars ($5,700)] *six thousand six hundred dollars ($6,600)*, and he shall possess a valid general administrative credential issued by the State Board of Education."

Amendment No. 3

On page 2, line 1, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1815—An act creating the Solvang Municipal Improvement District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 7 of the printed bill, as amended in the Senate on May 22, 1951, strike out lines 50 to 52, inclusive; and on page 8, strike out lines 1 to 7, inclusive.

Amendment No. 2

On page 13 of said bill, strike out lines 5 to 51, inclusive; on page 14, strike out lines 1 to 52, inclusive; and on page 15, strike out lines 1 to 13, inclusive, and insert

"Sec. 127. The board of supervisors is hereby authorized to transfer funds of the county not immediately needed for county purposes to the general fund of the district to be used for the payment of the expenses of the district until such time as tax receipts are available therefor. The board of supervisors shall include in the levy of taxes for the district for the first fiscal year in which a tax may be levied, a sum sufficient to repay to the county the amounts so transferred to the district for the portion or portions of the preceding fiscal year or years for which no levy of taxes was made for that purpose and the amounts so transferred shall be retransferred to the county treasury from the general fund of the district out of the first available receipts from the tax levy.

Article 9. Funds".

Amendment No. 3

On page 16, line 1, of said bill, strike out "Article 11", and insert "Article 10".

Amendment No. 4

On page 16, line 27, of said bill, strike out "Article 12", and insert "Article 11".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 514—An act to amend Sections 3, 12, 14, 16, 17, 28, 30, and 35 of, and to add Sections 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 30.10, 30.11, 30.12, 30.13, 30.14, 30.15, and 30.16 to, and to repeal Sections 13, 15, 18, and 29 of, the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district, the incurring of indebtedness, the issuing and selling of special assessment bonds, the levy and collection of special assessments, and the levy and collection of taxes by said district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 8 of the printed bill, as amended in the Senate on May 25, 1951, strike out lines 38 and 39; and in line 40, strike out "tively, of said County of Sonoma."

Amendment No. 2

On page 11, line 5, of said bill, strike out "A", and insert "The".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 431—An act to amend Sections 3211.92, 3361, and 4458 of the Labor Code, relating to volunteer fire departments and volunteer firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on March 22, 1951 after "Act", insert "and the Civil Defense Act of 1950".

Amendment No. 2

On page 1 of said bill, between lines 6 and 7, insert

"Disaster service worker" includes volunteer civil defense workers and also includes any unregistered person impressed into service during a state of extreme emergency by a person having authority to command the aid of citizens in the execution of his duties.

Persons registered with a disaster council at the time such council becomes accredited need not re-register in order to be entitled to the benefits provided by Chapter 10 of this part.

Amendment No. 3

On page 1, line 10, of said bill, strike out "governmental agency or unit", and insert "county, city, town or district".

Amendment No. 4

On page 1, line 16, of said bill, strike out "governmental agency or unit", and insert "government of the county, city, town or district".

Amendment No. 5

On page 1, lines 17 and 18, of said bill, strike out "governmental agency or unit", and insert "county, city, town or district".

Amendment No. 6

On page 1, lines 19 and 20, of said bill, strike out "governmental agency or unit", and insert "county, city, town or district".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1951, after "Controller", insert "declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on May 10, 1951, strike out lines 3 and 4, and insert "Years after the effective date of this article, or within five years after it has ceased to have outstanding obligations, collect taxes or other revenues, and disburse district funds, whichever is later, and at least once".

Amendment No. 2

On page 2, line 6, of said bill, after "thereafter", insert "during which it has no outstanding obligations, collects no taxes or other revenues, or disburses no district funds".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 15, line 46, of the printed bill, as amended in the Senate on May 3, 1951, following "exceed", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendment No. 2

On page 16, line 23, of the printed bill, following "sum of", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm

waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 15, line 47, of the printed bill, as amended in the Senate on May 4, 1951, following "exceed", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendment No. 2

On page 16, line 24, of the printed bill, following "sum of", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1142
Assembly Bill No. 1530
Assembly Bill No. 2043
Assembly Bill No 2195

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 295
Assembly Bill No. 850
Assembly Bill No 1162
Assembly Bill No. 1806
Assembly Bill No. 2712

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel;

Assembly Bill No. 55—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings;

Assembly Bill No. 93—An act to amend Section 66 of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Sonoma, and providing for the appointment of an additional judge and for compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 186—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings;

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons and employees, and duties of the probation officer;

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 284—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners;

Assembly Bill No. 288—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners;

Assembly Bill No. 289—An act to add Sections 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 425—An act to add Section 225q to the Civil Code, relating to the adoption of children;

Assembly Bill No. 445—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind;

Assembly Bill No. 447—An act to amend Section 7 of an act entitled "An act relating to the construction, installation, equipping, stocking, and operation of vending stands in public buildings of the State counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to vending stands in public educational institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 455—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation;

Assembly Bill No. 529—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 767—An act to amend Sections 26726, 26730, 26732, 26735, 26736, 26738, 26741, and 27826 of the Government Code, relating to fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 811—An act to amend Section 36509 of the Government Code, relating to cities of the sixth class;

Assembly Bill No. 880—An act to add Sections 31469.3, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31520.1, 31558, 31671.6, 31720.5, 31726.5, 31727.2, 31727.4, 31765.1, 31785, 31786, 31787, 31788, and Articles 6.8 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31521, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676.4, 31731, 31734 and 31735 of the Government Code, relating to retirement of county employees;

Assembly Bill No. 1029—An act to amend Section 3024.5 of the Penal Code, relating to term of imprisonment;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1058—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service;

Assembly Bill No. 1326—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1531—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code and to amend and renumber Section 5701.5 thereof to be Section 6726.5, relating to private family care homes and the support of mental patients therein, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1535—An act to amend Section 6660.5 of the Welfare and Institutions Code, relating to the safekeeping of the property of patients of the Department of Mental Hygiene;

Assembly Bill No. 1545—An act to amend Section 5053 of the Business and Professions Code, relating to the State Board of Accountancy;

Assembly Bill No. 1577—An act to amend Section 13083 of the California Education Code, relating to the discretion of governing boards in certain districts to classify employees as permanent;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1690—An act to add Chapter 3.4 consisting of Sections 6605 to 6605 6 to Part 4 of Division 6 of the Welfare and Institutions Code, relating to temporary admission to state hospitals of persons who are believed to be mentally ill and providing for their release within ninety (90) days after admission;

Assembly Bill No. 1952—An act to add Section 171c to the Civil Code, relating to the management and control of community property;

Assembly Bill No. 2065—An act to amend Sections 6302, 6334, and 6356 of the Education Code, relating to school district budgets;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2137—An act to declare that certain land situated in the City and County of San Francisco is no longer necessary for navigation, commerce, fisheries or street uses, and authorizing the Board of State Harbor Commissioners for San Francisco Harbor to sell or exchange such lands;

Assembly Bill No. 2139—An act to amend Sections 1770, 1971.1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor;

Assembly Bill No. 2493—An act to add Section 18061 to the Education Code, relating to the payment of construction contracts;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3101—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act;

Assembly Bill No. 3419—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 89

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 29
House Resolution No. 65
House Resolution No. 157
House Resolution No. 162
House Resolution No. 167

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 166
House Resolution No. 170
House Resolution No. 177

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 90: By Mr. Sam L. Collins—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 161

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No 343
Assembly Bill No. 671
Assembly Bill No. 951
Assembly Bill No. 2214
Assembly Bill No. 2801

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 380
Assembly Bill No. 1072
Assembly Bill No. 2129
Assembly Bill No. 2904
Assembly Bill No. 3122
Assembly Bill No. 3345

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3374

Has had the same under consideration, and respectfully reports the same back without recommendation.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1463

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1900

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 407

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 291

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1991
Assembly Bill No. 2121
Assembly Bill No. 3439

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 892

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 920
Senate Bill No. 1818

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 553
Senate Bill No. 1706
Senate Bill No. 1712

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Senate Bill No. 432

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 976

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

LEVERING, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1405

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 860

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 1056

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1631
Assembly Bill No. 1258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 471
Assembly Bill No 1628
Assembly Bill No. 1257
Assembly Bill No. 1260
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 2248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 3024

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, do pass, as amended, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 255
Senate Bill No. 567

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 89

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

COMMUNICATIONS

By the Chief Clerk:

A communication from the California Federation of Women's Clubs, signed by Mrs. C. K. Schnabel, Executive Secretary, San Francisco, and a resolution relative to the use of prayer in public schools, were received, and ordered referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A nonprofit corporation or association which has been in existence for not less than one year, and which, during such period of time and thereafter, is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, and which, during such period of time and thereafter, has at least 100 bona fide members who are required to pay regular membership dues amounting to not less than twelve dollars ($12) a year."

Amendment No. 2

On page 3, line 42, of said bill, strike out "1947", and insert "1951".

BURNS
WAY
Senate Committee on Conference

McCOLLISTER
DOYLE
LYON
Assembly Committee on Conference

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 9.26 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Caldecott, Condon, Conrad, Davis, Dills, Doyle, Dunn, Hansen, Kilpatrick, Lanterman, Levering, McGee, Niehouse, Rosenthal, Shaw, Silliman, Stewart, and Thomas—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 89, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 89

Assembly Concurrent Resolution No. 89—Relative to approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-ninth day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Tomlinson, and Waters—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Report prepared pursuant to House Resolution 198, 1949 Regular Session, entitled "Feasibility of the Reclamation and Conveyance of Sewage from San Francisco, Peninsula Cities and Communities, and San Jose, for Use in Santa Clara County"

Has had the same under consideration, and reports the same back with the recommendation: That letter of transmittal be printed in the Assembly Journal, and one thousand (1,000) copies of the report be printed as a separate document.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that a letter of transmittal from the State Department of Public Works concerning a report requested of the Division of Water Resources by the Assembly, be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS

SACRAMENTO, April 30, 1951

Honorable Sam L. Collins, Speaker of the Assembly
Assembly of the State of California
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Transmitted herewith is a report requested of the Division of Water Resources by the Assembly, in House Resolution No. 198, adopted June 1, 1949. It covers investigation and study of the feasibility, economic and otherwise, and means of conveying to Santa Clara County water reclaimed from sewage at sewage disposal plants of San Francisco, peninsula communities, and San Jose, and the distribution and utilization of such water in Santa Clara County.

As a result of the investigation and study, it is recommended that:

1. In view of the limited amount of sewage from disposal plants or outfalls from the City of San Francisco which is acceptable as to mineral constituents for reclamation and utilization in Santa Clara County, and in view of the relatively high unit cost that would be involved in the reclamation and utilization of such sewage in Santa Clara County, no further consideration be given at this time to this source as a possible supplemental water supply for Santa Clara County.

2. Further investigation of feasibility of reclamation of waste waters from San Jose and nearby peninsula cities and communities be deferred until the need therefor is indicated.

3. The County of Santa Clara and the agencies therein responsible for the furnishing of needed water supplies in the area (a) proceed with their planned local projects as far as practicable, and (b) give early consideration to plans for securing a water supply from outside sources to supplement the local supplies, to meet not only the immediate deficiencies but also the future needs of the county.

Respectfully submitted.

A. D. EDMONSTON, State Engineer

APPROVED: C. H. PURCELL, Director of Public Works
By FRANK B. DURKEE, Deputy Director
APPROVED: RANDAL F. DICKEY, Chairman
Interim Fact-Finding Committee on Air and Water Pollution

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Dickey asked for, and was granted, unanimous consent that the above letter of transmittal and the above mentioned Report Relative to Feasibility of the Reclamation and Conveyance of Sewage from San Francisco, Peninsula Cities and Communities, and San Jose, for Use in Santa Clara County, be printed as a separate document, and that 1,000 copies be printed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 83

Mr Lincoln asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 83, out of order

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 83

Senate Concurrent Resolution No. 83—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Nichouse, Parker, Porter, Rumford, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that at 11 45 a.m. this morning the Assembly will recess for the purpose of permitting the California Real Estate Association to take two pictures on the north steps of the Capitol. One picture will be taken of state constitutional officers, Senators and Assemblymen. The other picture will be taken of the above named individuals plus any attaches desiring to be in the picture.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2907—An act to add Sections 14258 5, 14258 6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541,

14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on June 1, 1951, strike out "14811".

Amendment No. 2

On page 2, line 2, of said bill, strike out "14811".

HOFFMAN	PARKER
JAMES E. CUNNINGHAM	McFALL
HAROLD T. JOHNSON	GAFFNEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—61

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1164?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 7, 1951, after "counsel," insert "ask him if he desires the aid of counsel,".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 19 to 21, inclusive, and insert "In any case in which counsel is".

Amendment No. 3

On page 2, line 6, of said bill, as amended, strike out "upon recommen-"; and strike out line 7, and insert "except in a county, or city and county, in which there is a public defender, shall receive a reasonable".

Amendment No. 4

On page 2, line 9, of said bill, as amended, strike out "supervisors", and insert "court".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1164 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1164 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1240 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOTICE OF MOTION TO ADD RULE NO. 9 TO STANDING RULES CONTINUED

By unanimous consent the notice of motion, by Mr. Sam L. Collins, to add Rule No. 9 to the Standing Rules of the Assembly was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2003

Mr. Levering asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2003, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2003—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2003?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1951, strike out "6855, 6858,".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "6908,".

Amendment No. 3

On page 1 of said bill, as amended, strike out all of lines 1 to 21, inclusive.

Amendment No. 4

On page 6 of said bill, as amended, strike out all of lines 20 to 41, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2003 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis,

Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2003 ordered enrolled.

EXPLANATION OF ABSENCE BY MR. HAWKINS

My absence from the Assembly Chamber this morning was due to attendance before Senate committees.

AUGUSTUS F. HAWKINS

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 40, of the printed bill, as amended in the Assembly on June 5, 1951, after "be", insert "four dollars ($4), in each of the following instances:".

Amendment No. 2

On page 2, line 40, of said bill, strike out "three dollars and fifty"; and strike out all of line 41.

Amendment No. 3

On page 3, line 8, of said bill, strike out "three dollars and fifty cents ($3.50)", and insert "four dollars ($4.00)".

Amendment No. 4

On page 3, line 36, of said bill, after "of", insert "seven thousand five hundred dollars ($7,500) per annum, and the compensation of official"; and strike out lines 37 and 38.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Belotti, Berry, Burkhalter, Chapel, Clarke, Connolly, Crowley, Dickey, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Hawkins, Hollibaugh, Kelly, Lanterman, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McMillan, Meyers, Parker, Porter, Stewart, Waters, and Mr. Speaker—30

NOES—Beck, Burke, Caldecott, Cloyed, Davis, Erwin, Hagen, Hahn, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Moss, Munnell, Rumford, and Silliman—20

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 193—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Bill read third time, and ordered passed on file.

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 10.22 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Brady, Brown, Burke, Collier, Condon, Dills, Gubser, Hinckley, Kilpatrick, Kirkwood, Lincoln, Maloney, McCarthy, Porter, Rosenthal, Sillman, Smith, Stanley, and Thomas—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1358

Mr. Dickey asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1358, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1358—An act to amend Section 8.1 of the Municipal Court Act of 1925, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1358?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 26, 1951, after "Four", insert "senior".

Amendment No. 2

On page 2, line 6, of said bill, as amended, strike out "three hundred dollars ($300)", and insert "two hundred seventy-five dollars ($275)".

Amendment No. 3

On page 2, lines 9 and 10, of said bill, as amended, strike out "one hundred ninety-six dollars ($196)", and insert "two hundred six dollars ($206)".

Amendment No. 4

On page 2, lines 11 and 12, of said bill, as amended, strike out "ten dollars ($10)", and insert "twelve dollars ($12)".

Amendment No. 5

On page 2, line 14, of said bill, as amended, strike out "two hundred thirty-eight dollars ($238)", and insert "two hundred fifty dollars ($250)".

Amendment No. 6

On page 2, lines 21 and 22, of said bill, as amended, strike out "sixty-five dollars ($265)", and insert "seventy-five dollars ($275)".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 23 and 24, and insert "Two deputy clerks, each two hundred fifty-five dollars ($255) per month;".

Amendment No. 8

On page 2, lines 33 and 34, of said bill, as amended, strike out "one hundred ninety-six dollars ($196)", and insert "two hundred six dollars ($206)".

Amendment No. 9

On page 2, line 36, of said bill, as amended, strike out "ten dollars ($10)", and insert "twelve dollars ($12)".

Amendment No. 10

On page 2, lines 38 and 39, of said bill, as amended, strike out "two hundred thirty-eight dollars ($238)", and insert "two hundred fifty dollars ($250)".

Amendment No. 11

On page 2 of said bill, as amended, strike out lines 40 and 41, and insert

"One file clerk who shall receive a minimum salary of two hundred six dollars ($206) during the first year of such service with annual increments of ten dollars ($10), ten dollars ($10), twelve dollars ($12), and twelve dollars ($12) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of two hundred fifty dollars ($250) monthly."

Amendment No. 12

On page 3, lines 12 and 13, of said bill, as amended, strike out "six dollars ($206)", and insert "sixteen dollars ($216)".

Amendment No. 13

On page 3 of said bill, as amended, strike out lines 14 and 15, and insert "annual increments of ten dollars ($10), twelve dollars ($12), twelve dollars ($12), and fourteen dollars ($14) per month,".

Amendment No. 14

On page 3, lines 17 and 18, of said bill, as amended, strike out "fifty dollars ($250)", and insert "sixty-four dollars ($264)".

Amendment No. 15

On page 3, lines 20 and 21, of said bill, as amended, strike out "eighty-eight dollars ($188)", and insert "ninety-six dollars ($196)".

Amendment No. 16

On page 3 of said bill, as amended, strike out lines 22 and 23, and insert "nual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10), and twelve dollars ($12) per".

Amendment No. 17

On page 3, line 26, of said bill, as amended, strike out "twenty-six dollars ($226)", and insert "thirty-eight dollars ($238)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1358 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1358 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 193

Assembly Bill No. 193—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 31, 1951, strike out lines 8 to 20 inclusive; and strike out all of pages 2 and 3, and insert

"3819.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following

Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Section 6 and 27 of Article IV of the California Constitution, that candidate who shall be deemed the incumbent in a given district for all purposes of the election shall be that candidate:

(1) Who is running for the same classification of office which he then holds in a district identical in boundaries with the district from which he was last elected or in a district which in toto lies within the boundaries of the district from which he was last elected.

(2) Who is running for the same classification of office which he then holds in a new district which includes any portion of the area of the district from which he was last elected; provided, however, that when there are more than one such candidates running for such classification of office in a single new district the status of incumbency shall be granted to the candidate running for the same office which he then holds the area of whose former district included within the new district has a larger population according to the next preceding decennial census than the like area of any other such candidate.

(3) In the event there is no qualified candidate to whom the provisions of subdivision (1) or (2) applies, the candidate who is running for the same classification of office which he then holds in a district identical in number with the district from which he was last elected.

(4) If there is only one qualified candidate who is running for the same office which he then holds and no one or more of the above provisions apply, the incumbent shall be that qualified candidate

SEC. 2. Section 3929.5 is added to said code, to read

3929.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Section 6 and 27 of Article IV of the California Constitution, that candidate who shall be deemed the incumbent in a given district for all purposes of the election shall be that candidate.

(1) Who is running for the same classification of office which he then holds in a district identical in boundaries with the district from which he was last elected or in a district which in toto lies within the boundaries of the district from which he was last elected.

(2) Who is running for the same classification of office which he then holds in a new district which includes any portion of the area of the district from which he was last elected; provided, however, that when there are more than one such candidates running for such classification of office in a single new district the status of incumbency shall be granted to the candidate running for the same office which he then holds the area of whose former district included within the new district has a larger population according to the next preceding decennial census than the like area of any other such candidate.

(3) In the event there is no qualified candidate to whom the provisions of subdivision (1) or (2) applies, the candidate who is running for the same classification of office which he then holds in a district identical in number with the district from which he was last elected

(4) If there is only one qualified candidate who is running for the same office which he then holds and no one or more of the above provisions apply, the incumbent shall be that qualified candidate."

Amendment read.

Motion That Amendment by Mr. Hagen Be Printed in Journal Without Action

Mr. Beck moved that the amendment being offered by Mr. Hagen be printed in the Journal without action, at this time.

Mr. George D. Collins seconded the motion.

Roll Call Demanded

Messrs. Waters, Morris, and Conrad demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Coats, George D. Collins, Crowley, Davis, Elliott, Gaffney, Hagen, Hahn, Henderson, Kilpatrick, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, and Shaw—27.

NOES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Silliman, Smith, Stanley, Stewart, and Waters—35.

The question being on the adoption of the amendment by Mr. Hagen.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Elliott, Hagen, Henderson, Lowrey, McFall, Moss, Parker, Rosenthal, Rumford, and Shaw—16.

NOES—Babbage, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—44.

The question being on the passage of Assembly Bill No 193.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 31, 1951, strike out lines 8 to 20, inclusive; and strike out all of pages 2 and 3, and insert

"3819.5. At the first elections for Representative in Congress, State Senator, and Assemblymen in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Sections 6 and 27 of Article IV of the California Constitution, every candidate who is running for one of such offices and who then holds the office for which he is a candidate shall be deemed an incumbent for purposes of the election The names of all such candidates, followed by the word "incumbent", shall be printed in alphabetical order at the top of the list of candidates for the office on the ballot.

SEC. 2. Section 3929.5 is added to said code, to read:

3929.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Sections 6 and 27 of Article IV of the California Constitution, every candidate who is running for one of such offices and who then holds the office for which he is a candidate shall be deemed an incumbent for purposes of the election The names of all such candidates, followed by the word "incumbent", shall be printed in alphabetical order at the top of the list of candidates for the office on the ballot.

Amendment read.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Burkhalter is not speaking to the question.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. George D. Collins.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, and Rumford—24.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McGee, Morris, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—42.

The question being on the passage of Assembly Bill No. 193.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—64.

NOES—George D Collins, Elliott, Hagen, and Henderson—4.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99

At 11.12 a.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Assembly Bill No. 99 refused adoption by the following vote:

AYES—Belotti, Berry, Burkhalter, Chapel, Cloyed, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Porter, Sherwin, Stanley, and Mr. Speaker—38.

NOES—Babbage, Beck, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Davis, Erwin, Geddes, Grant, Grunsky, Hagen, Hahn, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, McFall, McGee, Morris, Moss, Munnell, Parker, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—34.

Appointment of Second Committee on Conference Concerning Assembly Bill No. 99

The Speaker announced the appointment of Messrs. Hinckley, Fleury, and Crowley as a Second Committee on Conference concerning Assembly Bill No. 99.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rumford:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 4035 of the Business and Professions Code, relating to the definition of "pharmacy."

Respectfully submitted.

WM. B. RUMFORD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rumford:

An act to amend Section 4035 of the Business and Professions Code, relating to the definition of "pharmacy."

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3454: By Mr. Rumford—An act to amend Section 4035 of the Business and Professions Code, relating to the definition of "pharmacy."

Referred to Committee on Public Health.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 494

At 11 25 a.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 494 passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Coats, George D. Collins, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gubser, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Tomlinson—41.

NOES—Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—33.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3066, on request of Mr. Lindsay.

Assembly Bill No. 1954, on request of Mr. Moss.

Assembly Constitutional Amendment No. 58, on request of Mr. Hawkins.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.29 a.m., Mr. Connolly asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Public Health in the Post Office upon adjournment. Subject: Assembly Bill No. 2591.

MEMBERS EXCUSED

At 11.30 a.m., Mr. Hawkins asked for, and was granted, unanimous consent that Messrs. Brady, Condon, and Thomas be excused, for the balance of the legislative day, because of illness.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 175
Assembly Bill No. 312
Assembly Bill No. 314
Assembly Bill No. 1563
Assembly Bill No. 2301
Assembly Bill No. 2924
Assembly Bill No. 3112

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1215
Assembly Bill No. 2134

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bill No. 175 re-referred to the Committee on Judiciary.

Assembly Bill No. 2924 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 312, 314, 1563, 2301, and 3112 re-referred to the Committee on Municipal and County Government.

Senate Bill No. 520 re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2367

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 2367, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2367

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 6, 1951, after "286," insert "288,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 3 of said bill, after line 27, insert

"SEC. 6 Section 288 of said code is amended to read:

288. Any person who shall wilfully and lewdly commit any lewd or lascivious act including any of the acts constituting other crimes provided for in Part 1 of this code upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or

sexual desires of such person or of such child, shall be guilty of a felony and shall be [imprisoned in the State prison for a term of from one year to life] *punishable by life imprisonment, or at the option of the person so convicted, by castration*."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

AMENDMENTS TO ASSEMBLY BILL NO. 3217 ORDERED REPRINTED IN FULL BY UNANIMOUS CONSENT

Proposed Amendments to Assembly Bill No. 3217 by Mr. Lanterman

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 1, 1951, between lines 34 and 35, insert

"SEC. 4. Chapter 7 is added to Title 6 of the Government Code to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. General Purposes

60500. The purpose of this chapter is to facilitate the administration of county governmental functions in unincorporated territory and to increase the efficiency of county governmental affairs by providing for more effective local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, libraries, and other functions under the authority of county boards of supervisors through the establishment of urban districts within unincorporated territory having a simple and direct access to and from the county board of supervisors and the officers and administrative districts of the county and to and from cities adjacent to such districts.

Article 2. Petition and Hearing

60510. Urban districts consisting of 150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

60512 The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form: _____ *(filling in the blank) Urban District of* _____ *(filling in the blank)* County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515 Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth

the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district.

Article 4. Powers of District

60540 Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second. To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis, and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district

Third: To contract, on an annual basis either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of all such urban services as may be required by the urban district or urban districts As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district. All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors

Fourth. To cause the board of supervisors to be advised of the needs of the district

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required; provided, that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable.

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof.

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552 At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553 Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555 The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct

60556 At the first election the ballot shall be in the following form.

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor

60558 Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of selectman for the term commencing on the following January 2d The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire

60559 If there are less than three hundred residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized Each selectman so appointed shall serve for a term of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment Thereafter vacancies on the board shall be filled by appointment by the board of supervisors.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction

60564 The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the district.

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof. If the overhead and administrative portions of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget to be reduced to an amount in the manner as directed by them. Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget.

60566 The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7. District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933."

Article 8. Changes in District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584 Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585 The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed.

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590 An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district

60592. A petition for the dissolution of the district may be filed in sections; provided, that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593 The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594. Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595 The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598. Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolu-

tion for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete.

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution. If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. No portion of the territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

60602. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located.

Amendment No. 2

On page 5, line 6, of said bill, strike out "such costs", and insert "the cost of special urban services".

Amendment No. 3

On page 6, lines 7 and 8, of said bill, strike out "the entire unincorporated area or", and insert "several".

Amendment No. 4

On page 6, line 40, of said bill, after "city," insert ", urban district".

Amendment No. 5

On page 7 of said bill, strike out line 14, and insert "or annexation, or in an urban district, such portion shall be withdrawn from such special service zone. All".

Amendment No. 6

On page 7, line 17, of said bill, after "city", insert "or urban district".

Amendment No. 7

On page 3, line 36, of said bill, strike out the semicolon; and strike out lines 37 to 50, inclusive, and insert "as are in addition to those which the county is legally obligated to provide within the urban unincorporated area of the county."

Amendment No. 8

On page 7 of said bill, strike out lines 5 and 6, and insert "upon all taxable property".

Amendment No. 9

On page 1, line 10, of said bill, strike out "equitable".

Amendment No. 10

On page 1, line 11, of said bill, strike out "efficient and economical performance of".

Amendment No. 11

On page 1, line 13, of said bill, strike out "in many counties of the State".

Amendment No. 12

On page 1, line 19, of said bill, strike out "The law,"; strike out lines 20 and 21; and in line 22, strike out "erty."

Amendment No. 13

On page 2 of said bill, strike out lines 1 to 3, inclusive, and insert "funds"

Amendment No. 14

On page 2, line 10, of said bill, strike out "rather"; and strike out lines 11 and 12, and insert a period.

Amendment No. 15

On page 2, line 13, of said bill, strike out "an".

Amendment No. 16

On page 2, line 14, of said bill, strike out "method", and insert "methods"

ANNOUNCEMENT

Mr. Sherwin announced that all members are urged to attend the meeting, this afternoon, of the Committee on Ways and Means for the purpose of hearing proposed amendments discussed relative to the Budget Bill, Assembly Bill No. 500.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Board and Commissions, to which was referred:

Assembly Bill No. 3076

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

McMILLAN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT CHANGES BE MADE IN COMMITTEE REPORT AND AMENDMENTS BE PLACED IN BILL

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to change a committee report, and place amendments to Assembly Bill No. 1463, in the bill being held at the desk, as they were omitted through inadvertance.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 2 p.m.—

Rules, in Room 319

Today Upon Adjournment and All Afternoon—

Ways and Means, in Room 435. Subject: Amendments to the Budget Bill, Assembly Bill No. 500, as proposed by the Senate Finance Committee.

Next Monday, June 11th, Upon Adjournment—

Legislative Representation, in Room 3148. Subject: Assembly Bill No. 3088.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Louis J. DeBenedetti of San Francisco, George F. Malone of Oakland, and Stanley Lino Lena of Berkeley.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Robert J. Wensel, teacher, and the following pupils of the Freeport School: Doris Silva, Eloah Jones, Mary Basquez, Elisabeth Strengmann, Jo Ann Rich, Joyce Fowler, Julia Meier, Beverly McDowell, Joan Azevedo, Omega Stults, Darlene Duarte, Diane Dutra, Carol Ellis, Shirley Rich, Carolyn Skidgel, Janet Peterson, Jean Grundirg, Billy Lee, Christopher Rodriguez, Larry Day, Fred Baxter, Robert Silva, Frank Azevedo, Glenn Harris, and Elbert Brown.

ADJOURNMENT

At 11.33 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, June 11, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 11, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Thou Who Art the Light of the Minds That Know Thee, The Life of the souls that love Thee, and the Strength of the hearts that seek Thee, grant us the blessing of Thy holy presence. May all of our deliberations be found acceptable in Thy sight that the work of the heroic pioneers who discovered this land may not be in vain.

Remind us, as we look upon the Flag, of our duty to God and our Country.

We remember in Thy presence, the requirements of our Lord, "To do justly, and to love mercy, and to walk humbly with Thy God."

"Father, whate'er of earthly bliss
Thy sovereign will denies,
Accepted at Thy throne of grace
Let this petition rise;
Give me a calm and thankful heart,
From every murmur free;
The blessings of Thy grace impart,
And make me live to Thee."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hawkins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Lowrey, on motion of Mr. Davis.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

ANNOUNCEMENT

Speaker Sam L. Collins announced that small Flags in standards have been placed upon the desks of the members in honor of the National Commander of the American Legion, Mr. Erle Cocke, Jr., who will be a guest of the Assembly this morning, and suggested that said Flags, after today, be placed on the desks of members in their new offices in the new wing of the Capitol.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 8, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2128, entitled: "An act to add Section 644.2 to the Agricultural Code, relating to oleomargarine."

My objections to the bill are as follows:

This bill would require that on the outside of each container of oleomargarine sold at retail there shall be a statement showing the ingredients by name and the percentage of each ingredient. An exception is made to this requirement in the case of "domestic vegetable oils" which may be stated in the aggregate of all types of such oil.

The sponsor of this measure has urged me to approve it as a "truth in products measure." This argument completely overlooks the fact that our laws now contain a requirement for stating the ingredients of oleomargarine.

Section 643 of the Agricultural Code requires a statement "within and upon the contents of each * * * package, and next to that portion of the same which is commonly and most conveniently opened" stating among other things "the names and percentages of the various ingredients used in the manufacture of such oleomargarine."

If truth in stating the contents of oleomargarine is the goal sought by this bill, the present law is stronger than this bill for it requires all ingredients to be shown and does not permit all "domestic vegetable oils" to be lumped together but requires them to be separately stated like all other ingredients. It is not apparent in what manner truthful revelation of the ingredients of a product is increased by permitting some of the products to be combined when the present law requires them to be separately stated.

Neither is any reason apparent why the public welfare requires the ingredients of any product to be stated twice. The present law adequately and clearly protects the public by requiring each package of oleomargarine to be distinctively marked with the word "oleomargarine" in plain Roman type, the letters of which shall not be less than one inch in height by one-half inch in width. It requires the statement of the ingredients to be within the package and next to that portion of the package which is commonly and most conveniently opened. In the light of the existing law, it is obvious that this bill cannot be advocated as necessary to advise the public of the contents of the package.

The California Grocers Association has urged a veto of this measure on the further ground that the requirements are entirely different than those of the Federal Government. Since California is the only State on the West Coast manufacturing oleomargarine, its products enter interstate commerce. Our laws should therefore conform to the federal laws to facilitate interstate shipment.

The Grocers Association further points out that this bill will require unnecessary expense. If ingredients are changed the expense of changing the carton is large, particularly during war conditions. The manufacturers purchase these cartons in large quantities to receive the benefits of a lower rate on quantity purchases and to insure an adequate supply during emergency conditions.

Interfering with the interstate shipment of a California product or increasing its cost is detrimental to our State and particularly to the producers of the ingredients going into its manufacture. It certainly is detrimental to the consumer particularly in these times of rising prices.

Since the bill does not serve the purpose intended by its sponsors and since it would be detrimental to the manufacturer, the producer, and the consumer, I am returning it without my approval.

Respectfully,

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2128

June 8, 1951

I acknowledge receipt this eighth day of June, 1951, at 7 o'clock p.m., of Assembly Bill No. 2128 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

MONTIVEL A. BURKE

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 2128** entitled: "An act to add Section 644.2 to the Agricultural Code, relating to oleomargarine."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Montivel A. Burke, Member of the Assembly, at 7 o'clock p m. on the eighth day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2128 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 137, entitled: "An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements."

My objections to this bill are as follows:

It is a recognized principle that money either *collected* by a candidate or expended by him in his campaign for election should be reported. Our laws in this respect are presently inadequate to actually accomplish their purpose. They should be strengthened rather than weakened. This bill would further weaken them in that it permits a candidate to collect or otherwise accept money for a campaign but authorizes him not to report the fact so long as he does not actually spend it for campaign purposes. This, it seems to me, is worse in principle than not reporting when the money is received and actually spent for campaign purposes It would permit a candidate to profit financially in a campaign in a manner which could make him subservient to sinister influences. The fact that the position is one of honor and is not compensated does not, in my opinion, detract either from the importance of the governmental responsibility involved, or from the desirability of keeping it within the terms of the purity of the election law.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 137

June 9, 1951

I acknowledge receipt this ninth day of June, 1951, at 4.15 o'clock p.m , of Assembly Bill No. 137 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

G. DELBERT MORRIS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 137** entitled: "An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to G. Delbert Morris, a Member of the Assembly, at 4.15 o'clock p.m. on the ninth day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 137 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1020
Assembly Bill No. 1708
Assembly Bill No. 1848
Assembly Bill No. 3438
Assembly Bill No. 3443
Assembly Bill No. 3453

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302
Assembly Bill No. 1570
Assembly Bill No. 1684
Assembly Bill No. 2367
Assembly Bill No. 3205

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1060
Assembly Bill No. 1507
Assembly Bill No. 2372

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 927
Assembly Bill No. 1308
Assembly Bill No. 1635
Assembly Bill No. 1802
Assembly Bill No 2034
Assembly Bill No. 3011
Assembly Bill No. 3131
Assembly Bill No. 3132
Assembly Bill No 3174
Assembly Bill No. 3247
Assembly Bill No. 3248

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2591

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 386
Assembly Bill No. 521
Assembly Bill No. 884
Assembly Bill No. 885
Assembly Bill No. 1611
Assembly Bill No. 2496
Assembly Bill No 2755
Assembly Bill No. 2827
Assembly Bill No 3387

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2907 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 48
Senate Bill No. 70
Senate Bill No. 744
Senate Bill No. 872
Senate Concurrent Resolution No. 82
Senate Bill No. 908
Senate Bill No. 916
Senate Bill No 939
Senate Bill No 1576

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators McBride, Parkman, and Ward as a Second Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 89
Assembly Joint Resolution No. 38

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1529

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 50
Assembly Bill No 464
Assembly Bill No. 1001
Assembly Bill No. 1080
Assembly Bill No 1999
Assembly Bill No. 2009
Assembly Bill No. 2307
Assembly Bill No. 2598
Assembly Bill No. 2828
Assembly Bill No. 3357

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 38
Senate Concurrent Resolution No. 84

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 38—Relating to the settlement of certain claims of the Indians of California by the Indian Claims Commission of the United States and the federal courts.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 84—Relative to the organization of the Department of Fish and Game.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 424
Senate Bill No. 600
Senate Bill No. 919
Senate Bill No. 1151
Senate Bill No 1152
Senate Bill No. 1412
Senate Bill No. 1456
Senate Bill No. 1536
Senate Bill No 1700
Senate Bill No 1826

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 424—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 600—An act to add Sections 30701.5 and 30735.5 to, and to amend Section 30748 of, the Water Code, relating to the election of directors of county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Section 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1151—An act to amend Sections 737tt of the Political Code and 79.46 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1152—An act to amend Section 28156 of the Government Code, relating to compensation for public services in counties of the fifty-sixth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1412—An act providing for an action to determine title to property affected by summary means of collecting certain taxes.

Referred to Committee on Judiciary.

Senate Bill No. 1456—An act to amend Section 1300.12 of the Agricultural Code, relating to marketing of agricultural commodities.

Referred to Committee on Agriculture.

Senate Bill No. 1536—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of agricultural products and their agents.

Referred to Committee on Agriculture.

Senate Bill No. 1700—An act to amend Section 28120 of the Government Code, relating to compensation for services performed for counties of the twentieth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1826—An act to add Section 4.1 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the disposition of rentals from such housing facilities.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and

the collection in other states of taxes due this State and political subdivisions thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2121—An act to amend Section 6701 of, and to add Sections 6703, 6704, and 6705 to, the Revenue and Taxation Code, relating to security for payment of obligations under the Sales and Use Tax Law, and to provide for certain exceptions in the application of these security requirements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 407—An act to amend Section 7315 of the Business and Professions Code, dealing with cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 940—An act to amend Section 485 of the Vehicle Code, relating to drivers of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 485 of", and insert "add Section 592 2 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "drivers", and insert "stopping, standing, or parking".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 592 2 is added to the Vehicle Code, to read:

592 2. Stopping, Standing, or Parking of United States Post Office Department Vehicles. The foregoing restrictions in this chapter prohibiting the stopping, standing, or parking of vehicles shall not apply to the driver or owner of any vehicle owned or operated by or for, or under contract with, the United States Post Office Department for the delivery, transportation, or collection of mail."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 966—An act to add Chapter 4, comprising Sections 591 to 737, inclusive, to Division 3 of the Harbors and Navigation Code, relating to inspection, licensing and registration of vessels, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 4, comprising Sections 591 to 737, inclu-"; and in the title strike out lines 2 to 4, inclusive, and insert "amend the heading of Chapter 1 of Division 20 of, and to add Article 4, comprising

Sections 24160 to 24163, inclusive, to Chapter 1 of Division 20 of, the Health and Safety Code, relating to the safety of boaters."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. The heading of Chapter 1 of Division 20 of the Health and Safety Code is amended to read:

CHAPTER 1. HEALTH AND SAFETY OF BATHERS AND BOATERS

SEC. 2. Article 4 is added to Chapter 1 of Division 20 of said code, to read:

Article 4. Boating Safety

24160. This article applies to all boats, canoes, or other devices used for transporting persons by water, except such boats, canoes, or other devices the safety of which is otherwise regulated by federal or state law.

24161. Every boat, canoe, or other device subject to this article shall be equipped, while in use, with at least one life preserver, of a type prescribed by the state department, for each person aboard, unless so constructed or equipped that it will float if capsized and complies with the applicable regulations of the state department.

24162. For the purpose of defining the terms used in this article and otherwise regulating the safety of persons using devices to which this article applies, but not inconsistently with this article, the State department may promulgate reasonable regulations.

24163. Violation of this article or the regulations promulgated hereunder shall be a misdemeanor."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive; and strike out all of pages 2 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3300—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Prohibited".

Amendment No. 2

On page 1, line 5, of said bill, strike out "broadcast receiver", and insert "receiver, screen, or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 3445—An act to add Division 8a, comprising Sections 445 to 445.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "driver's license", and insert "automobile driving".

Amendment No. 2

On page 1, lines 25 and 26, of the printed bill, strike out ", and in a building or portion of a building devoted exclusively to non-residential use."

Amendment No. 3

On page 2, line 22, of the printed bill, strike out "twenty-five dollars ($25)", and insert "fifty dollars ($50) for each driving school and ten dollars ($10) for each additional instructor".

Amendment No. 4

On page 3, line 15, of the printed bill, strike out "483, 505", and insert "505-b".

Amendment No. 5

On page 3, line 16, of the printed bill, following "code", insert "or Sections 192 or 193 of the Penal Code".

Amendment No. 6

On page 3 of the printed bill, following line 25, insert
"SEC. 2. The act shall take effect March 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1900—An act making an appropriation to pay the claim of Charles E. Cooper against the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Charles E. Cooper", and insert "Clyde S. De Bolt".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "sixty-four thousand dollars ($64,000)", and insert "thirty-two dollars and fifty cents ($32.50)".

Amendment No. 3

On page 1, line 3, of said bill, strike out "Charles E. Cooper", and insert "Clyde S. De Bolt".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1405—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be three judges, each of whom shall receive eight thousand six hundred dollars ($8,600) per annum, payable in equal monthly installments;

(2) There shall be one presiding court clerk to be appointed by the judges of the court and act as secretary of the court, who shall receive three hundred forty dollars ($340) per month and who may appoint the following:

One senior clerk, who shall receive a salary of two hundred ninety dollars ($290) per month;

Two intermediate clerks, each of whom shall receive two hundred fifty dollars ($250) per month;

Five junior clerks, each of whom shall receive two hundred twenty dollars ($220) per month;

(3) There shall be one marshal, to be appointed by the judges of the court, who shall receive six thousand dollars ($6,000) per annum, payable in equal monthly installments and who may appoint the following:

One assistant marshal, who shall receive four hundred and fifty dollars ($450) per month;

Three deputy marshals, each of whom shall act as bailiffs when requested by the court, and each of whom shall receive three hundred fifty dollars ($350) per month;

Two deputy marshals, each of whom shall receive three hundred fifty dollars ($350) per month;

Ten deputies (custodians) at the fee allowed by law for keeping property.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

Neither the marshal or any of his deputies who receive a salary shall be entitled to retain any portion of the fees collected pursuant to law.

(4) Official reporters in such municipal courts described in this section shall be appointed as provided in Section 274c of the Code of Civil Procedure and shall be attaches of such court.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many reporters as the business of the court may require, who shall be known as official reporters, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure.

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters as provided by law. In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury

Official reporters of such court shall be members of any retirement system maintained by the county in which they are employed. For the purpose of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation.

(5) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(6) All fees collected by officers or attaches except those which an attache is entitled to retain, as herein provided, shall be paid into the county treasury."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1631—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System in respect to the basic death benefit.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "21361", and insert "20130".

Amendment No. 2

In line 2 of the title of said bill, strike out "in respect to"; and in line 3, strike out "the basic death benefit".

Amendment No. 3

On page 1, line 1, of said bill, strike out "21361", and insert "20130".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 23, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"20130. Upon the basis of any or all of such investigation, valuation, and determination, the board shall adopt such mortality, service and other tables and interest

rate as it deems necessary, and make such revision in rates of contribution of members as it deems necessary to provide the benefits for which the rates for normal contributions are required to be calculated

[The rate of interest adopted by the board from time to time shall be at least one-half of 1 percent lower than the rate the board estimates will be earned during the fiscal year in which the interest rate is adopted, on the accumulated contributions to the Retirement Fund credited to employers and members, except that this provision does not require the board to adopt a rate lower than 2½ percent a year.]

No adjustment shall be included in the new rates for time prior to the effective date of such revision."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1258—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2, of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20226", and insert "20227".

Amendment No. 2

On page 2, line 2, of said bill, strike out "unless", and insert "if".

Amendment No. 3

On page 2, line 3, of said bill, strike out "does not", and insert "will".

Amendment No. 4

On page 2, line 6, of said bill, strike out "-option".

Amendment No. 5

On page 2, line 7, of said bill, after "shall", insert "be executed by or".

Amendment No. 6

On page 2, line 24, of said bill, after "paid", insert "and if the State has performed all acts required of it by the terms of the said lease".

Amendment No. 7

On page 2, line 34, of said bill, after "paid", insert "and if the State has performed all acts required of it by the terms of the said lease".

Amendment No. 8

On page 3, line 9, of said bill, strike out "The board may employ special".

Amendment No. 9

On page 3 of said bill, strike out lines 10 and 11, and insert "Any transaction entered into by the board under this section shall be subject to the approval of the Director of Finance. Except as provided in Section 20223, no real property or interest therein shall be acquired by the board under this article unless such acquisition is previously approved by the Director of Finance."

Amendment No. 10

On page 3 of said bill, after line 29, insert

"20227. Notwithstanding any other provision of law, the board, without the approval of the Director of Finance, the Attorney General or any other state officer, may employ special counsel to represent it in any controversy with the State or with any state agency, arising under this article."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "409", and insert "413".

Amendment No. 2

On page 1, line 4, of said bill, strike out "409", and insert "413".

Amendment No. 3

On page 1 of said bill, strike out lines 10 to 22, inclusive; and on page 2, strike out lines 1 to 15, inclusive, and insert

"400. For the purposes of prescribing the qualifications required of county superintendents of schools and fixing their salaries the counties are classified on the basis of the average daily attendance in the public schools of the State in the respective counties as follows.

Class One (1) includes all counties with an average daily attendance of one hundred fifty thousand (150,000) and over.

Class Two (2) includes all counties with an average daily attendance of one hundred thousand (100,000) to one hundred forty-nine thousand nine hundred ninety-nine (149,999), inclusive.

Class Three (3) includes all counties with an average daily attendance of sixty thousand (60,000) to ninety-nine thousand nine hundred ninety-nine (99,999), inclusive

Class Four (4) includes all counties with an average daily attendance of fifty thousand (50,000) to fifty-nine thousand nine hundred ninety-nine (59,999), inclusive.

Class Five (5) includes all counties with an average daily attendance of forty thousand (40,000) to forty-nine thousand nine hundred ninety-nine (49,999), inclusive

Class Six (6) includes all counties with an average daily attendance of thirty thousand (30,000) to thirty-nine thousand nine hundred ninety-nine (39,999), inclusive.

Class Seven (7) includes all counties with an average daily attendance of twenty thousand (20,000) to twenty-nine thousand nine hundred ninety-nine (29,999), inclusive.

Class Eight (8) includes all counties with an average daily attendance of fifteen thousand (15,000) to nineteen thousand nine hundred ninety-nine (19,999), inclusive.

Class Nine (9) includes all counties wtih an average daily attendance of seven thousand five hundred (7,500) to fourteen thousand nine hundred ninety-nine (14,999), inclusive.

Class Ten (10) includes all counties with an average daily attendance of five thousand (5,000) to seven thousand four hundred ninety-nine (7,499), inclusive.

Class Eleven (11) includes all counties with an average daily attendance of five hundred (500) to four thousand nine hundred ninety-nine (4,999), inclusive

Class Twelve (12) includes all counties with an average daily attendance of less than five hundred (500)."

Amendment No. 4

On page 2, line 16, of said bill, strike out "No", and insert "Except as provided in this section no".

Amendment No. 5

On page 2 of said bill, strike out lines 20 to 27, inclusive, and insert

"Where a county changes from one class to another because of an increase in the average daily attendance in the public schools in such county, the incumbent county superintendent of schools in that county shall not be prohibited from continuing in office and shall be eligible for reelection to the same office regardless of whether he possesses a valid credential otherwise required in a county of that class."

Amendment No. 6

On page 2 of said bill, strike out lines 28 to 35, inclusive, and insert

"400.2. The salary and qualifications of the county superintendent of schools in each county shall be as set forth in this article for that class into which the county

falls. The class into which each county falls shall be determined on July first of each year based upon the average daily attendance in the public schools of such county for the second preceding school year as reported by the State Department of Education."

Amendment No. 7

On page 2 of said bill, strike out lines 38 to 52, inclusive; and on page 3, strike out lines 1 to 25, inclusive, and insert

"401. All county superintendents of schools in counties within Class One (1) shall receive an annual salary of sixteen thousand dollars ($16,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

402. All county superintendents of schools in counties within Class Two (2) shall receive an annual salary of fifteen thousand dollars ($15,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

403. All county superintendents of schools in counties within Class Three (3) shall receive an annual salary of fourteen thousand dollars ($14,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

404 All county superintendents of schools in counties within Class Four (4) shall receive an annual salary of thirteen thousand dollars ($13,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

405. All county superintendents of schools in counties within Class Five (5) shall receive an annual salary of twelve thousand dollars ($12,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

406 All county superintendents of schools in counties within Class Six (6) shall receive an annual salary of eleven thousand dollars ($11,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

407. All county superintendents of schools in counties within Class Seven (7) shall receive an annual salary of ten thousand dollars ($10,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

408. All county superintendents of schools in counties within Class Eight (8) shall receive an annual salary of nine thousand dollars ($9,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

409. All county superintendents of schools in counties within Class Nine (9) shall receive an annual salary of eight thousand dollars ($8,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

410. All county superintendents of schools in counties within Class Ten (10) shall receive an annual salary of seven thousand dollars ($7,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

411. All county superintendents of schools in counties within Class Eleven (11) shall receive an annual salary of six thousand dollars ($6,000) and each shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

412 All county superintendents of schools in counties within Class Twelve (12) shall receive an annual salary of five thousand dollars ($5,000) and each shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 8

On page 3, line 26, of said bill, strike out "409", an insert "413".

Amendment No. 9

On page 3, of said bill, strike out lines 27 to 32, inclusive, and insert "intendent of schools but not in excess of seven thousand five hundred dollars ($7,500) shall be paid monthly out of the county school service fund in the same manner as other payments from the county school service fund are made. The balance of the annual salary of each county superintendent of schools shall be paid monthly out of the salary fund of the county treasury in the same manner as are the salaries of other county officers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1072—An act to amend Sections 1 and 3 of an act entitled "An act making an appropriation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair

and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved April 25, 1951, relating to the repair and restoration of property damaged or destroyed by storms or floods, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "to amend Sections"; and strike out lines 2 to 14, thereof, and insert "making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2 of said bill, strike out lines 30 to 52, inclusive; and on page 3, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. There is hereby allocated out of those funds in the Emergency Fund specified in Item 277 of the Budget Act of 1950, appropriated by Chapter 13 of the Statutes of 1951, so much thereof as may be necessary for expenditure by the Department of Finance in the County of Sierra to restore County Primary Road No. 5 and provide channel protection therefor, to restore County Secondary Road No. 308 and replace a bridge thereon, restore County Secondary Roads Nos. 309 and 310, and restore County Secondary Road No. 504 and replace a bridge thereon.

SEC. 2. With regard to subdivision (c) of Section 1 of Chapter 13 of the Statutes of 1951, all sums expended by the County of Sierra prior to the effective date of this section and since April 1, 1951, on the roads, channels and bridges specified in Section 1 of this act, shall be considered and counted as money made available by the County of Sierra for matching purposes."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2129—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out line 2, and insert "tions 20017.75, 20038.5, 21020.75, 21290.75, 21292.75, and 21363.75 to, the".

Amendment No. 2

On page 1 of said bill, strike out line 12, and insert:

"(6) Narcotic enforcement members.

(7) Law enforcement members."

Amendment No. 3

On page 1, line 19, of said bill, after "warden," insert "narcotic enforcement,".

Amendment No. 4

On page 2, line 1, of said bill, strike out "20017.7", and insert "20017.75".

Amendment No. 5

On page 2, line 2, of said bill, strike out "20017.7.", and insert "20017.75."

Amendment No. 6

On page 2 of said bill, between lines 22 and 23, insert

"SEC. 3.5. Section 20038.5 is added to said code, to read:

20038.5. "Industrial" in reference to the death or disability of a law enforcement member means death or disability as a direct result of injury or disease arising out of and in the course of his employment and while performing duties which require the assumption of risks peculiar to active law enforcement work."

Amendment No. 7

On page 2, line 23, of said bill, strike out "21020.7", and insert "21020.75".

Amendment No. 8

On page 2, line 24, of said bill, strike out "21020.7.", and insert "21020.75."

Amendment No. 9

On page 2, line 26, of said bill, strike out "21290.7", and insert "21290.75".

Amendment No. 10

On page 2, line 27, of said bill, strike out "21290.7", and insert "21290.75."

Amendment No. 11

On page 2, line 30, of said bill, strike out "21292.7", and insert "21292.75".

Amendment No. 12

On page 2, line 31, of said bill, strike out "21292.7.", and insert "21292.75."

Amendment No. 13

On page 2, line 38, of said bill, strike out "21363.7", and insert "21363.75".

Amendment No. 14

On page 2, line 39, of said bill, strike out "21363.7.", and insert "21363.75."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2904—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 2

On page 1, line 20, of said bill, after the period, insert "All members, retired prior to July 1, 1951, shall receive an additional twenty-five dollars ($25) per month from the permanent fund, and no member with 15 or more years of credited service who is retired on or before the effective date of the amendment to this section adopted at the 1951 Regular Session of the Legislature shall receive less than eighty-five dollars ($85) per month."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3122—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San

Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof," approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 1, 1951, strike out line 1, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read: Section 1. The Board of State Harbor Commissioners".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3345—An act to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code, relating to the State Rehabilitation Center, providing for the establishment and operation thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code,".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "the establishment and operation", and insert "a study of the administration and for preliminary plans"

Amendment No. 3

On page 2 of said bill, strike out lines 15 to 32 inclusive; and strike out all of pages 3 to 5, inclusive, and insert

"SEC. 2. The Department of Finance is authorized to make a study of the administrative organization necessary to establish a State Rehabilitation Center and a Resident School for the Educable Physically Handicapped.

SEC. 3. The drawing of preliminary plans for a State Rehabilitation Center and a Resident School for the Educable Physically Handicapped is hereby authorized.

SEC. 4. There is hereby appropriated from the Capital Outlay and Savings Fund the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary, for the drawing of plans authorized by Section 3. The funds appropriated by this act shall be allocated to the agencies designated by the Director of Finance with the approval of the Public Works Board."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of Municipal Court Judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 23, 1951, after "County", insert ", in a district embracing a city in which a municipal court was established under the Municipal Court Act of 1925,".

Amendment No. 2

On page 1 of said bill, after line 17, insert

"Each Judge of a Municipal Court in Los Angeles County, in a district embracing no city in which a municipal court was established under the Municipal Court Act of 1925, shall receive a salary of twelve thousand five hundred dollars ($12,500) per annum, payable in equal monthly installments, for the first two years following the establishment of the court and shall thereafter, receive a salary of fifteen thousand dollars ($15,000) per annum, payable in equal monthly installments."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3076—An act to amend Sections 20013, 20604, 21250, 21295, and 21330 of the Government Code, and to add Sections 20014.6, 20017.8, 20017.9, 20602.9, 20602.95, 20603.3, 20750.7, 20803.7, 20950.7, 20980.7, 21020.7, 21210, 21252.4, 21256.3, 21257.2, 21262.1, 21290.7, 21292.7, and 21363.6 thereto, relating to the State Employees' Retirement System in respect to the Alcoholic Beverage Control Act enforcement personnel of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20013,".

Amendment No. 2

In line 4 of the title of said bill, strike out "21020.7, 21210, 21252.4," and insert "21020.8, 21210, 21252.5,".

Amendment No. 3

Strike out line 5 of the title of said bill, and insert "21257.3, 21262.1, 21290.8, 21292.8, and 21363.6 thereto,".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. Section 20014.6 is added to the Government Code, to read:

20014.6. Notwithstanding the provisions of Sections 20013 and 20014, "State member" includes beverage control members, and".

Amendment No. 5

On page 3, line 45, of said bill, strike out "21020.7", and insert "21020.8".

Amendment No. 6

On page 3, line 46, of said bill, strike out "21020.7.", and insert "21020.8."

Amendment No. 7

On page 4, line 8, of said bill, after "patrol members", insert ", local safety members to whom Section 21264 applies,".

Amendment No. 8

On page 4, line 8, of said bill, after "beverage control members," insert "and solely in respect to the portion of said annuity derived from the normal accumulated contributions of such members, respectively,".

Amendment No. 9

On page 4, line 13, of said bill, strike out "21252.4", and insert "21252.5".

Amendment No. 10

On page 4, line 14, of said bill, strike out "21252.4.", and insert "21252.5."

Amendment No. 11

On page 4, line 41, of said bill, strike out "21257.2", and insert "21257.3".

Amendment No. 12

On page 4, line 42, of said bill, strike out "21257.2.", and insert "21257.3."

Amendment No. 13

On page 4, line 51, of said bill, after the comma, insert "excluding the portion of such allowance derived from accumulated additional contributions of the member,".

Amendment No. 14

On page 5, line 14, of said bill, strike out "unless she was".

Amendment No. 15

On page 5 of said bill, strike out lines 15 and 16.

Amendment No. 16

On page 5, line 17, of said bill, strike out "industrial,".

Amendment No. 17

On page 5, line 25, of said bill, strike out "21290.7", and insert "21290.8".

Amendment No. 18

On page 5, line 26, of said bill, strike out "21290.7.", and insert "21290.8."

Amendment No. 19

On page 5, line 29, of said bill, strike out "21292.7", and insert "21292.8".

Amendment No. 20

On page 5, line 30, of said bill, strike out "21292.7.", and insert "21292.8."

Amendment No. 21

On page 6, line 9, of said bill, after "patrol", insert "members, local safety members to whom Section 21264 applies,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3024—An act relating to benefits for members of the fire departments of state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 14 to 18, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 471—An act to amend Section 21201 of the Government Code, relating to the California State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 21201 of", and insert "add Section 21251.4 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 21251.4 is added to the Government Code, to read:

21251.4 (a) Every retirement allowance payable for time commencing on the effective date of this section to or on account of any member who was retired prior to July 1, 1951, is hereby increased by a monthly amount which, when added to any other increases in such retirement allowance made by the Legislature at its 1951 Regular Session, equals the full amount set forth in the following table opposite the period during which the member's retirement became effective, if the retired member is entitled to be credited with 20 years or more of state service, or, if the retired member is entitled to be credited with less than 20 years of state service, by an amount which, when added to any other increases in such retirement allowance made by the Legislature at its 1951 Regular Session, bears the same ratio to the amount set forth in the following table opposite the period during which the member's retirement became effective that the number of completed years of state service with which the member is entitled to be credited bears to 20 years:

Period during which retirement became effective	Amount of increase in monthly retirement allowance where member entitled to be credited with 20 or more years of state service
Prior to July 1, 1947	$25.00
Twelve months ended June 30, 1948	$20.00
Twelve months ended June 30, 1949	$15.00
Twelve months ended June 30, 1950	$10.00
Twelve months ended June 30, 1951	$5.00

Where a member to or on account of whom an increased retirement allowance is payable under this section has elected pursuant to Article 4 of Chapter 9 of this part to have his retirement allowance modified in accordance with an optional settlement provided in Section 21333, Section 21334, or Section 21335, if both the retired member and his beneficiary are living on the effective date of this section, the increase provided by this section shall be modified under the optional settlement so elected, on the basis of current ages, mortality tables, and interest rate; but if either such retired member or his beneficiary is not living on said effective date, then the increase shall be made in the allowance payable to the survivor, in the same manner that increases are made in retirement allowances to persons who did not elect such an optional settlement.

The increase in each retirement allowance provided by this section shall be apportioned between the current service pension and the prior service pension of the retired member in the same proportions that the current service and the prior service with which the member is credited bear to the total state service with which he is credited, and shall be derived from the same source as such pensions.

(b) Every special death benefit payable for time commencing on the effective date of this section on account of the industrial death of any member who died prior to July 1, 1951, is hereby increased by a monthly amount which, when added to any other increases in such death benefit made by the Legislature at its 1951 Regular Session, equals the full amount set forth in the following table opposite the period during which the member's death occurred:

Period during which industrial death occurred	Amount of increase in monthly special death benefit installments
Prior to July 1, 1947	$25.00
Twelve months ended June 30, 1948	$20.00
Twelve months ended June 30, 1949	$15.00
Twelve months ended June 30, 1950	$10.00
Twelve months ended June 30, 1951	$5.00

(c) This section does not authorize any decrease in any retirement allowance or special death benefit, nor does this section give any retired member, or his successors in interest, or his beneficiary, or any payee of any special death benefit in respect to a deceased member any claim against the State for any increase in any retirement allowance or special death benefit paid or payable for time prior to its effective date.

(d) This section shall not apply to any contracting agency, nor to retirement allowances or special death benefits payable to or in respect to the retired or deceased employees of any contracting agency, unless and until the contracting agency elects to be subject to its provisions by amendment to its contract with the board, made as provided in Section 20461.5, or by express provision in its contract with the board.

SEC. 2. This act shall take effect on the first day of the first month next succeeding the ninetieth day after final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1628—An act to amend Section 21362 of the Government Code, relating to the State Employees' Retirement System in respect to installment payment of benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 21362", and insert "Sections 20750.1, 20750.2, 20750.3, and 20750.4".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "ing to state contributions to the State Employees' Retirement Fund."

Amendment No. 3

On page 1, line 1, of said bill, strike out "21362", and insert "20750.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"20750.1. The State's contribution to the Retirement Fund in respect to state miscellaneous members is a sum equal to [8.] *9* percent of the compensation paid state miscellaneous members.

SEC. 2. Section 20750.2 of the Government Code is amended to read:

20750.2. The State's contribution to the Retirement Fund in respect to [state] patrol members is a sum equal to [27.70] *28.26* percent of the compensation paid [state] patrol members.

SEC. 3. Section 20750.3 of the Government Code is amended to read:

20750.3. The State's contribution in respect to forestry members is a sum equal to [13.39] *7.28* percent of the compensation paid forestry members.

SEC. 4. Section 20750.4 of the Government Code is amended to read:

20750.4. The State's contribution to the Retirement Fund in respect to warden members is a sum equal to [23.17] *17.12* percent of the compensation paid warden members.

SEC. 5. This act shall take effect on the first day of the first month next succeeding the ninetieth day after final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1257—An act to amend Section 20750.1 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state miscellaneous members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the blank, and insert "8 11".

Amendment No. 2

On page 1 of said bill, after line 6, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1260—An act to amend Section 20750.4 of the Government Code, relating to state contribution to the State Employees' Retirement Fund in respect to warden members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the blank, and insert "16 86".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1261—An act to amend Section 20750.3 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to forestry members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the blank, and insert "7.25".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1262—An act to amend Section 20750.2 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state patrol members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the blank, and insert "27.88".

Amendment No. 2

On page 1 of said bill, between lines 6 and 7, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2248—An act to amend Sections 9355.1 and 9359 of the Government Code, relating to the Legislator's Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 9355.1 and 9359 of", and insert "Sections 9351, 9351 3, 9353 6, 9355 1, 9355.2, 9359 1, and 9359 8 of, and to add Section 9355 45 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9351 of the Government Code is amended to read:

9351. "Service" means the period of time, computed in years and fractions thereof, a member has held office as a Member of the Senate or of the Assembly, [or] as an elective officer of the State in any office provided for by the Constitution, except that of judge, *or as an officer of the Senate or Assembly, other than a Chaplain, who is elected by vote of the members*.

SEC. 2. Section 9351 3 of said code is amended to read:

9351.3. "Legislator" means a Member of the Assembly or a Member of the Senate or an elective officer of the State whose office is provided for by the Constitution

or an officer of the Senate or Assembly, other than a Chaplain, who is elected by vote of the members.

SEC. 3. Section 9353.6 of said code is amended to read:

9353.6. The Chief Clerk of the Assembly shall give the board immediate written notice of the change in status of any member *or officer, other than a Chaplain,* of the Assembly resulting from induction into office, resignation, expulsion, death, or any other circumstances terminating his office as member *or officer, other than a Chaplain,* of the Assembly, and the Secretary of the Senate shall give the board immediate written notice of any change in status of any member *or officer, other than a Chaplain,* of the Senate. The Secretary of State shall give the board immediate written notice of any such change in status of any elective state officer who is eligible to membership in the system.

SEC. 4. Section 9355.1 of said code is amended to read:

9355.1. A person ceases to be a member of this system:

(a) Upon retirement pursuant to this chapter.

(b) Upon death.

(c) [Except as provided in Section 9355.2 or while absent on military service, upon his ceasing to be a legislator.] *Upon payment to him of his accumulated contributions pursuant to Section 9355.2.*

SEC. 5. Section 9355.2 of said code is amended to read:

9355.2. Notwithstanding any other provision of this chapter, if the service of a member is discontinued by any means other than death or retirement pursuant to this chapter, he shall have the right to elect within 90 days thereafter, and without right of revocation, *by written election filed with the board, to be repaid his accumulated contributions and terminate his membership in this system. Unless the member affirmatively exercises such election, his accumulated contributions shall remain in the fund and his membership in this system shall continue.* [whether to allow his accumulated contributions to remain in the fund. Failure to make such election shall be deemed an irrevocable election to resign from this system and withdraw his accumulated contributions.] A member whose membership continues under this section is subject to the same age requirements as apply to other members for retirement, and upon qualification for retirement [by age], he shall, upon his application therefor to the board, be retired, and receive a retirement allowance based upon the service with which he is credited, in the same manner as other members of this system.

SEC. 6. Section 9355.45 is added to said code, to read:

9355.45. Every officer of the Senate or Assembly, other than a Chaplain, who is elected by vote of the members and who is in office at the time this section becomes effective may, within 90 days after the effective date, file with the board a written election to become a member of this system. Every such officer elected after the effective date of this section may file an election within 90 days after his election by vote of the Members of the Senate or Assembly. Upon the filing of the election he becomes a member of this system on the first day of the month following the filing of the election.

SEC. 7. Section 9359.1 of said code is amended to read:

9359.1. The retirement allowance is an annual amount equal to five percent (5%) of the compensation payable, at the time payments of the allowance fall due, to the officer holding [the office which the retired member last held prior to his retirement] *the highest salaried office which the retired member held at any time during his service prior to retirement*, multiplied by the number of years of service with which the member is entitled to be credited at the time of his retirement, (a) not to exceed fifteen (15) years in the case of a Member of the Legislature *or an officer of the Senate or Assembly, other than a Chaplain, elected by vote of the members*, and (b) not to exceed seven (7) years in the case of any other officer. In no event shall any retirement allowance payable under this chapter exceed (a) in the case of Members of the Legislature, seventy-five percent (75%) of the compensation payable to Members of the Legislature at the time the payment of the allowance is made, [or] (b) *in the case of officers of the Senate or Assembly, other than Chaplains, elected by vote of the members, 75 percent of the compensation payable at the time the payment of the allowance is made, to the officer holding the legislative office which the retired member last held prior to his retirement, or the amount payable to a Member of the Senate or Assembly entitled to be credited with an equal number of years of service and prior service, whichever is less, or (c)* in the case of officers other than Members of the Legislature *and officers of the Senate or Assembly, other than Chaplains, elected by vote of the members,* thirty-five percent (35%) of the compensation payable at the time the payment of the allowance is made, to the officer holding the office which the retired member last held prior to his retirement.

SEC. 8. Section 9359.8 of said code is amended to read:

9359.8. Upon the death of any member before retirement, his accumulated contributions shall be paid to his beneficiary, if he has designated one, and if not, to his estate. There shall also be paid to his beneficiary or estate an amount equal to one-twelfth of the annual compensation, [of a legislator] during the 12 months immediately preceding *the* [his] death *of the member, of the legislative or elective office last held by him,* multiplied by the number of completed years of service and prior service for which he is entitled to elect to receive credit, but not to exceed one-half of such annual compensation. The benefits provided by this section are in addition to any benefits provided by Division 4 of the Labor Code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 976—An act to amend Sections 51, 53, and 60 of the Labor Code, relating to the general powers and duties of the Department and Director of Industrial Relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and"; and following "60", insert ", 70.5, 77.5, 80, 112, and 145."

Amendment No. 2

In line 3 of the title of said bill, following "Relations", insert "and salaries within the Department of Industrial Relations."

Amendment No. 3

On page 1, line 8, of said bill, following "of", strike out all the rest of line 8 and all of line 9, and insert "thirteen thousand dollars ($13,000) per annum."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 9 and 10, insert

"SEC. 2. Section 70.5 of the Labor Code is amended to read:

70.5. The salary of the Chief of the Division of Industrial Welfare shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 3. Section 77.5 of the Labor Code is amended to read:

77.5. The salary of the Chief of the Division of Housing shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 4. Section 80 of the Labor Code is amended to read:

80. The salary of the Labor Commissioner shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum.

SEC. 5. Section 112 of the Labor Code is amended to read:

112. The members of the commission shall be appointed by the Governor with the advice and consent of the Senate. The term of office of such members shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of the members of the commission in office at the time this amendment takes effect shall expire on January 15th of that year for which the particular member has heretofore been determined. The term of one of the four members added to the commission by this amendment shall expire on January 15, 1946, the term of one on January 15, 1947, the term of one on January 15, 1948, and the term of one on January 15, 1949. Vacancies shall be filled by appointment for the unexpired terms. Each member shall receive a salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)* per annum.

SEC. 6. Section 145 of the Labor Code is amended to read:

145. [Salary of Chief.] The salary of the Chief of the Division of Industrial Safety shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum."

Amendment No. 5

On page 1, line 10, of said bill, strike out "SEC. 2.", and insert

"SEC. 7."

Amendment No. 6

On page 1, line 24, of said bill, strike out "SEC. 3.", and insert "SEC. 8."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 95—An act to add Section 44.8 to the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Bill read second time, and ordered to third reading.

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1712—An act to amend Section 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 860—An act to amend Sections 20492, 21024, 21251.1, 21253, and 21331 of, to repeal Sections 21360 of, and to add Sections 21201.5 and 21360 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 920—An act to add Section 988 to the Revenue and Taxation Code, relating to the assessment of mineral rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 30, 1951, strike out "Section 988", and insert "Sections 988 and 3706.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "the assessment", and insert "property taxation".

Amendment No. 3

On page 1 of said bill, after line 15, insert

"SEC. 2. Section 3706.5 is added to said code to read:

3706.5. Any tax-deeded property consisting of mineral rights in land, assessed to a person other than the owner of the land and subjected to sale pursuant to this chapter, in the absence of any bid for the property at the public auction, may, either at the time of holding the auction sale or in private thereafter, be sold to the owner

of the land at a price not exceeding an amount necessary to defray the costs actually incurred in attempting to hold the auction sale."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on May 28, 1951, strike out "for persons licensed"; and strike out lines 7 and 8, and insert "in accordance with law."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 432—An act to amend Section 4458 of the Labor Code, relating to volunteer firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on May 10, 1951, strike out "as", and insert "at".

Amendment No. 2

On page 1, line 18, of said bill, after "taken", strike out "as", and insert "at".

Amendment No. 3

On page 1, line 18, of said bill, after "limits", strike out "as".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 567—An act to amend Sections 5050, 5081, 5082, 5083, 5084, and 5086 of, and to add Sections 5047.2, 5066.1, and 5084.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 28, 1951, after "5066.1," insert "5083.1,".

Amendment No. 2

On page 3, line 27, of said bill, strike out "apportionment", and insert "apportionments".

Amendment No. 3

On page 4 of said bill, between lines 43 and 44, insert

"SEC. 9. Section 5083.1 is added to said code, to read:

5083.1. Whenever, prior to the date on which conditional apportionments have been made to an applicant district for the full amount of state aid approved for the

district under Section 5048.2, (1) if the applicant district is annexed to or otherwise included in whole in another district which is ineligible for an apportionment under this chapter, no further apportionment shall be made to the applicant district; (2) if the applicant district is annexed to or otherwise included in whole in a district which is eligible for an apportionment under this chapter and which has made or does make an application for such an apportionment, the board may reconsider the applications of the applicant district and the acquiring district and make such determinations and take such action with respect thereto, including the making, subject to the provisions of Article 1 of this chapter, of a conditional apportionment or apportionments to such acquiring district as the board may deem necessary because of such annexation or other inclusion in the acquiring district of the applicant district; (3) if a portion of the applicant district is annexed to or otherwise included in another district, the board may reconsider the application of the applicant district and may, within two years after the first apportionment made under said approval, make such additional apportionments as it sees fit to the applicant district, but not in excess of the amount in which such application was originally approved, without requiring the district to issue additional bonds."

Amendment No. 4

On page 4, line 44, of said bill, strike out "SEC. 9.", and insert "SEC. 10."

Amendment No. 5

On page 5, line 5, of said bill, strike out "SEC. 10.", and insert "SEC. 11."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951, strike out "Sections 2103.1 and 8162", and insert "Section 2103.1".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert "SECTION 1. Section 2103.1 is added to the Education Code to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 500

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article

IV of the Constitution of the State of California, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 500?

Amendment No. 1

On page 6 of the printed bill, after line 39, insert "and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department."

Amendment No. 2

On page 29 of said bill, after line 12, insert "and in addition thereto any amounts collected for services rendered special programs for audit of appropriations for aid to local government."

Amendment No. 3

On page 30 of said bill, after line 33, insert "and in addition thereto any amounts collected for services which by law are available for support of such agency."

Amendment No. 4

On page 30, line 50, of said bill, after "funds", insert ", and for mapping services to counties"

Amendment No. 5

On page 33, line 32, of said bill, after "1948", strike out "in", and insert "__64,748".

Amendment No. 6

On page 33 of said bill, strike out all of line 33.

Amendment No. 7

On page 33 of said bill, after line 32, insert "The appropriation made by this item, together with the amounts appropriated by Item 128 and 129, shall be expended in accordance with the following schedule."

Amendment No. 8

On page 35 of said bill, after line 19, insert "and in addition thereto any amounts collected for services which by law are available for support of said agency."

Amendment No. 9

On page 37 of said bill, after line 3, insert "and in addition thereto any amounts collected from rentals which by law are available for support of said agency,".

Amendment No. 10

On page 41 of said bill, after line 27, insert "and in addition thereto any amounts collected from Department of Public Health for additional outpatient clinical activities under the National Mental Health Act, which by law are available for support of said institution."

Amendment No. 11

On page 41 of said bill, after line 48, insert "and in addition thereto any amounts collected for services to employees, which by law are available for support of said institution."

Amendment No. 12

On page 47 of said bill, after line 6, insert "and in addition thereto any amounts received from the United States Government for maintenance and operation of installations and for armory rental utility expense, which by law are available for support of said agency,".

Amendment No. 13

On page 47 of said bill, after line 47, insert "for sale of registration lists and".

Amendment No. 14

On page 52 of said bill, after line 32, insert "and to counties under cooperative agreements and for fire protection and other services to the Federal Government, or any agency thereof, pursuant to contracts,".

Amendment No. 15

On page 61, line 22, of said bill, after "cies,", insert "dental services, and laboratory services to local areas,".

Amendment No. 16

On page 63, line 2, of said bill, after "funds", insert ", and reporting service to litigants".

Amendment No. 17

On page 2, line 22, of said bill, strike out "14,400", and insert "16,840".

Amendment No. 18

On page 2, line 25, of said bill, strike out "200,000", and insert "400,000".

Amendment No. 19

On page 2, line 33, of said bill, strike out "28,800", and insert "33,680".

Amendment No. 20

On page 4, line 19, of said bill, strike out "1,316,326", and insert "1,294,255".

Amendment No. 21

On page 4, line 20, of said bill, after "act", insert "to be expended only pursuant to allotments recommended by the State Disaster Council and approved by the Director of Civil Defense, the Director of Finance, and the Governor".

Amendment No. 22

On page 5, line 24, of said bill, strike out "230,677", and insert "201,086".

Amendment No. 23

On page 5, line 30, of said bill, strike out "153,748", and insert "139,240".

Amendment No. 24

On page 5, line 31, of said bill, strike out "46,210", and insert "44,210".

Amendment No. 25

On page 5, line 33, of said bill, strike out "38,219", and insert "25,136".

Amendment No. 26

On page 5, line 36, of said bill, strike out "238,177", and insert "208,586".

Amendment No. 27

On page 5, line 41, of said bill, strike out "230,677", and insert "201,086".

Amendment No. 28

On page 6, line 7, of said bill, strike out "4,687,358", and insert "4,707,786".

Amendment No. 29

On page 6, line 14, of said bill, strike out "3,222,222", and insert "3,241,035".

Amendment No. 30

On page 6, line 16, of said bill, strike out "1,653,086", and insert "1,654,701".

Amendment No. 31

On page 6, line 20, of said bill, strike out "4,969,677", and insert "4,990,105".

Amendment No. 32

On page 6, line 27, of said bill, strike out "4,687,358", and insert "4,707,786".

Amendment No. 33

On page 7, line 41, of said bill, strike out "253,874", and insert "249,303".

Amendment No. 34

On page 7, line 46, of said bill, strike out "221,703", and insert "217,383".

Amendment No. 35

On page 7, line 48, of said bill, strike out "4,641", and insert "4,390".

Amendment No. 36

On page 7, line 50, of said bill, strike out "259,274", and insert "254,703".

Amendment No. 37

On page 8, line 6, of said bill, strike out "253,874", and insert "249,303".

Amendment No. 38

On page 9, line 4, of said bill, strike out "913,931", and insert "902,547".

Amendment No. 39

On page 9, line 10, of said bill, strike out "590,261", and insert "578,877".

Amendment No. 40

On page 9, line 14, of said bill, strike out "1,023,146", and insert "1,011,762".

Amendment No. 41

On page 9, line 22, of said bill, strike out "913,931", and insert "902,547".

Amendment No. 42

On page 9, line 26, of said bill, strike out "2,092,026", and insert "2,047,166".

Amendment No. 43

On page 9, line 34, of said bill, strike out "1,349,253", and insert "1,304,393".

Amendment No. 44

On page 9, line 40, of said bill, strike out "2,339,292", and insert "2,294,432".

Amendment No. 45

On page 9, line 49, of said bill, strike out "2,092,026", and insert "2,047,166".

Amendment No. 46

On page 10, line 5, of said bill, strike out "2,036,146", and insert "1,990,979".

Amendment No. 47

On page 10, line 12, of said bill, strike out "1,230,794", and insert "1,185,627".

Amendment No. 48

On page 10, line 18, of said bill, strike out "2,143,536", and insert "2,098,369".

Amendment No. 49

On page 10, line 27, of said bill, strike out "2,036,146", and insert "1,990,979".

Amendment No. 50

On page 10, line 31, of said bill, strike out "3,367,857", and insert "3,305,150".

Amendment No. 51

On page 10, line 39, of said bill, strike out "2,042,655", and insert "1,979,948".

Amendment No. 52

On page 10, line 45, of said bill, strike out "3,713,848", and insert "3,651,141".

Amendment No. 53

On page 11, line 10, of said bill, strike out "3,367,857", and insert "3,305,150".

Amendment No. 54

On page 11, line 14, of said bill, strike out "1,581,804", and insert "1,557,870".

Amendment No. 55

On page 11, line 22, of said bill, strike out "998,383", and insert "974,449".

Amendment No. 56

On page 11, line 28, of said bill, strike out "1,773,853", and insert "1,749,919".

Amendment No. 57

On page 11, line 36, of said bill, strike out "1,581,804", and insert "1,557,870".

Amendment No. 58

On page 11, line 42, of said bill, strike out "958,456", and insert "956,492".

Amendment No. 59

On page 11, line 48, of said bill, strike out "649,988", and insert "648,024".

Amendment No. 60

On page 11, line 52, of said bill, strike out "981,800", and insert "979,836".

Amendment No. 61

On page 12, line 9, of said bill, strike out "958,456", and insert "956,492".

Amendment No. 62

On page 12, line 12, of said bill, strike out "409,445", and insert "401,702".

Amendment No. 63

On page 12, line 19, of said bill, strike out "232,523", and insert "224,971".

Amendment No. 64

On page 12, line 21, of said bill, strike out "5,427", and insert "5,236".

Amendment No. 65

On page 12, line 23, of said bill, strike out "427,550", and insert "419,807".

Amendment No. 66

On page 12, line 30, of said bill, strike out "409,445", and insert "401,702".

Amendment No. 67

On page 14, line 14, of said bill, strike out "238,820", and insert "239,336".

Amendment No. 68

On page 14, line 20, of said bill, strike out "153,672", and insert "154,188".

Amendment No. 69

On page 14, line 26, of said bill, strike out "249,750", and insert "250,266".

Amendment No. 70

On page 14, line 32, of said bill, strike out "238,820", and insert "239,336".

Amendment No. 71

On page 14, line 35, of said bill, strike out "656,078", and insert "656,468".

Amendment No. 72

On page 14, line 41, of said bill, strike out "501,838", and insert "502,228".

Amendment No. 73

On page 14, line 45, of said bill, strike out "682,243", and insert "682,633".

Amendment No. 74

On page 14, line 50, of said bill, strike out "656,078", and insert "656,468".

Amendment No. 75

On page 15, line 4, of said bill, strike out "282,048", and insert "281,573".

Amendment No. 76

On page 15, line 10, of said bill, strike out "195,154", and insert "194,679".

Amendment No. 77

On page 15, line 14, of said bill, strike out "290,148", and insert "289,673".

Amendment No. 78

On page 15, line 19, of said bill, strike out "282,048", and insert "281,573".

Amendment No. 79

On page 15, line 22, of said bill, strike out "1,244,165", and insert "1,241,908".

Amendment No. 80

On page 15, line 29, of said bill, strike out "928,910", and insert "926,653".

Amendment No. 81

On page 15, line 33, of said bill, strike out "1,307,440", and insert "1,305,183".

Amendment No. 82

On page 15, line 39, of said bill, strike out "1,244,165", and insert "1,241,908".

Amendment No. 83

On page 15, line 43, of said bill, strike out "288,969", and insert "286,604".

Amendment No. 84

On page 16, line 4, of said bill, strike out "205,405", and insert "203,040".

Amendment No. 85

On page 16, line 10, of said bill, strike out "298,349", and insert "295,984".

Amendment No. 86

On page 16, line 16, of said bill, strike out "288,969", and insert "286,604".

Amendment No. 87

On page 16, line 20, of said bill, strike out "452,182", and insert "452,092".

Amendment No. 88

On page 16, line 26, of said bill, strike out "341,525", and insert "341,435".

Amendment No. 89

On page 16, line 32, of said bill, strike out "471,532", and insert "471,442".

Amendment No. 90

On page 16, line 38, of said bill, strike out "452,182", and insert "452,092".

Amendment No. 91

On page 16, line 46, of said bill, strike out "1,793,940", and insert "1,884,689".

Amendment No. 92

On page 17, line 4, of said bill, strike out "1,370,605", and insert "1,385,841".

Amendment No. 93

On page 17, line 6, of said bill, strike out "479,271", and insert "554,121".

Amendment No. 94

On page 17, line 8, of said bill, strike out "60,706", and insert "61,369".

Amendment No. 95

On page 17, line 11, of said bill, strike out "1,910,582", and insert "2,001,331".

Amendment No. 96

On page 17, line 19, of said bill, strike out "1,793,940", and insert "1,884,689".

Amendment No. 97

On page 17 of said bill, after line 19, insert

"71 5—For administration of Sections 12105.1 and 12105.2 of the Education Code, Department of Education ..... 30,000"

Amendment No. 98

On page 17 of said bill, strike out all of lines 20 to 29, inclusive.

Amendment No. 99

On page 17, line 48, of said bill, strike out "42,401", and insert "29,791".

Amendment No. 100

On page 18, line 26, of said bill, strike out "835,000", and insert "850,000".

Amendment No. 101

On page 18, line 43, of said bill, strike out "747,153", and insert "777,599".

Amendment No. 102

On page 18, line 45, of said bill, strike out "1,748,346", and insert "1,762,900".

Amendment No. 103

On page 18, line 49, of said bill, strike out "2,505,000", and insert "2,550,000".

Amendment No. 104

On page 19, line 5, of said bill, strike out "1,670,000", and insert "1,700,000".

Amendment No. 105

On page 19, line 8, of said bill, strike out "835,000", and insert "850,000".

Amendment No. 106

On page 19, line 23, of said bill, strike out "398,641", and insert "387,929".

Amendment No. 107

On page 19, line 29, of said bill, strike out "289,597", and insert "282,185".

Amendment No. 108

On page 19, line 30, of said bill, strike out "44,505", and insert "41,205".

Amendment No. 109

On page 19, line 35, of said bill, strike out "399,241", and insert "388,529".

Amendment No. 110

On page 19, line 40, of said bill, strike out "398,641", and insert "387,929".

Amendment No. 111

On page 26, line 18, of said bill, strike out "339,116", and insert "336,866".

Amendment No. 112

On page 26, line 26, of said bill, strike out "13,228", and insert "10,978".

Amendment No. 113

On page 26, line 28, of said bill, strike out "368,126", and insert "365,876".

Amendment No. 114

On page 26, line 33, of said bill, strike out "339,116", and insert "336,886".

Amendment No. 115

On page 28, line 5, of said bill, strike out "227,430", and insert "230,202".

Amendment No. 116

On page 28, line 11, of said bill, strike out "159,412", and insert "162,184".

Amendment No. 117

On page 28, line 16, of said bill, strike out "236,898", and insert "239,670".

Amendment No. 118

On page 28, line 22, of said bill, strike out "227,430", and insert "230,202".

Amendment No. 119

On page 28 of said bill, after line 22, insert

"97.5—For support of Oakland Orientation Center for the Blind in accordance with the following schedule and in addition thereto any amounts transferred from Item 97 under the provisions of Section 26.		26,760
Schedule:		
(a) Salaries and Wages	18,034	
(b) Operating Expenses	1,726	
(c) Equipment	7,000	
Total of Schedule	26,760".	

Amendment No. 120

On page 30, line 47, of said bill, strike out "10,782,700", and insert "10,494,658".

Amendment No. 121

On page 31, line 4, of said bill, strike out "9,318,448", and insert "9,094,278".

Amendment No. 122

On page 31, line 6, of said bill, strike out "1,607,938", and insert "1,571,399".

Amendment No. 123

On page 31, line 8, of said bill, strike out "111,766", and insert "84,433".

Amendment No. 124

On page 31, line 11, of said bill, strike out "11,038,152", and insert "10,750,110".

Amendment No. 125

On page 31, line 21, of said bill, strike out "10,782,700", and insert "10,494,658".

Amendment No. 126

On page 31, line 27, of said bill, strike out "667,135", and insert "670,351".

Amendment No. 127

On page 31, line 30, of said bill, strike out "450,586", and insert "453,802".

Amendment No. 128

On page 31, line 35, of said bill, strike out "667,135", and insert "670,351".

Amendment No. 129

On page 31, line 40, of said bill, strike out "424,665", and insert "421,449".

Amendment No. 130

On page 31, line 42, of said bill, strike out "318,555", and insert "315,339"

Amendment No. 131

On page 31, line 48, of said bill, strike out "424,665", and insert "421,449".

Amendment No. 132

On page 31, line 50, of said bill, strike out "1,820,712", and insert "1,813,228".

Amendment No. 133

On page 32, line 8, of said bill, strike out "1,715,416", and insert "1,708,336".

Amendment No. 134

On page 32, line 10, of said bill, strike out "25,814", and insert "25,410".

Amendment No. 135

On page 32, line 12, of said bill, strike out "1,976,896", and insert "1,969,412".

Amendment No. 136

On page 32, line 22, of said bill, strike out "1,820,712", and insert "1,813,228".

Amendment No. 137

On page 34 of said bill, between lines 23 and 24, insert

"130.1—For customer surveys and research, State, district and county fairs, Department of Finance, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of State, citrus, county or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code ..... 30,000".

Amendment No. 138

On page 34, line 27, of said bill, strike out "1,645,034", and insert "1,631,210".

Amendment No. 139

On page 34, line 35, of said bill, strike out "515,000", and insert "501,176".

Amendment No. 140

On page 35, line 19, of said bill, strike out "189,258", and insert "194,258".

Amendment No. 141

On page 35, line 22, of said bill, strike out "90,583", and insert "95,583".

Amendment No. 142

On page 35, line 25, of said bill, strike out "340,758", and insert "345,758".

Amendment No. 143

On page 35, line 32, of said bill, strike out "189,258", and insert "194,258".

Amendment No. 144

On page 35, line 51, of said bill, strike out "17,465", and insert "34,930".

Amendment No. 145

On page 36, line 9, of said bill, strike out "12,277", and insert "24,554".

Amendment No. 146

On page 36, line 11, of said bill, strike out "5,400", and insert "10,800".

Amendment No. 147

On page 36, line 13, of said bill, strike out "250", and insert "500".

Amendment No. 148

On page 36, line 16, of said bill, strike out "17,927", and insert "35,854".

Amendment No. 149

On page 36, line 19, of said bill, strike out "462", and insert "924".

Amendment No. 150

On page 36, line 22, of said bill, strike out "17,465", and insert "34,930".

Amendment No. 151

On page 36, line 4, of said bill, strike out the semicolon and "provided,".

Amendment No. 152

On page 36 of said bill, strike out lines 5 and 6.

Amendment No. 153

On page 36, line 25, of said bill, strike out "2,821,463", and insert "2,819,179".

Amendment No. 154

On page 36, line 28, of said bill, strike out "2,364,502", and insert "2,362,218".

Amendment No. 155

On page 36, line 34, of said bill, strike out "2,821,463", and insert "2,819,179".

Amendment No. 156

On page 37, line 3, of said bill, strike out "10,175,498", and insert "9,669,326".

Amendment No. 157

On page 37, line 15, of said bill, strike out "7,251,802", and insert "6,949,062".

Amendment No. 158

On page 37, line 16, of said bill, strike out "2,264,821", and insert "2,236,546".

Amendment No. 159

On page 37, line 17, of said bill, strike out "676,558", and insert "501,401".

Amendment No. 160

On page 37, line 19, of said bill, strike out "10,193,181", and insert "9,687,009".

Amendment No. 161

On page 37, line 24, of said bill, strike out "10,175,498", and insert "9,669,326".

Amendment No. 162

On page 37, line 31, of said bill, strike out "4,050,021", and insert "4,020,919".

Amendment No. 163

On page 37, line 38, of said bill, strike out "3,316,237", and insert "3,281,960".

Amendment No. 164

On page 37, line 40, of said bill, strike out "774,967", and insert "786,944".

Amendment No. 165

On page 37, line 42, of said bill, strike out "72,376", and insert "65,574".

Amendment No. 166

On page 37, line 45, of said bill, strike out "4,163,580", and insert "4,134,478".

Amendment No. 167

On page 38, line 6, of said bill, strike out "4,050,021", and insert "4,020,919".

Amendment No. 168

On page 38, line 35, of said bill, strike out "139,879", and insert "150,619".

Amendment No. 169

On page 38, line 37, of said bill, strike out "105,812", and insert "114,452".

Amendment No. 170

On page 38, line 38, of said bill, strike out "33,154", and insert "35,254".

Amendment No. 171

On page 38, line 41, of said bill, strike out "139,879", and insert "150,619".

Amendment No. 172

On page 39, line 23, of said bill, strike out "548,343", and insert "551,743".

Amendment No. 173

On page 39, line 27, of said bill strike out "170,776", and insert "174,176".

Amendment No. 174

On page 39, line 31, of said bill, strike out "548,343", and insert "551,743".

Amendment No. 175

On page 39, line 45, of said bill, strike out "2,199,414", and insert "2,197,374".

Amendment No. 176

On page 40, line 6, of said bill, strike out "1,778,550", and insert "1,776,510".

Amendment No. 177

On page 40, line 13, of said bill, strike out "2,496,864", and insert "2,494,824".

Amendment No. 178

On page 40, line 25, of said bill strike out "2,199,414", and insert "2,197,374".

Amendment No. 179

On page 40, line 49, of said bill, strike out "1,399,923", and insert "1,288,956".

Amendment No. 180

On page 41, line 4, of said bill, strike out "1,034,340", and insert "958,416".

Amendment No. 181

On page 41, line 5, of said bill, strike out "298,841", and insert "280,021".

Amendment No. 182

On page 41, line 7, of said bill, strike out "66,742", and insert "50,519".

Amendment No. 183

On page 41, line 10, of said bill, strike out "1,399,923", and insert "1,288,956".

Amendment No. 184

On page 41 of said bill, after line 24, insert

"162.1—For research into the problem of sex crimes into and including the cause and cure of sex deviation to be expended in accordance with the provisions of Chapter 35, Statutes of 1950, First Extraordinary Session, Department of Mental Hygiene..... 90,000".

Amendment No. 185

On page 41, line 27, of said bill, strike out "396,332", and insert "362,558".

Amendment No. 186

On page 41, line 30, of said bill, strike out "433,312", and insert "404,344".

Amendment No. 187

On page 41, line 31, of said bill, strike out "80,607", and insert "77,857".

Amendment No. 188

On page 41, line 33, of said bill, strike out "12,101", and insert "10,045".

Amendment No. 189

On page 41, line 36, of said bill, strike out "526,020", and insert "492,246".

Amendment No. 190

On page 41, line 45, of said bill, strike out "396,332", and insert "362,558".

Amendment No. 191

On page 42, line 14, of said bill, strike out "4,145,018", and insert "3,981,795".

Amendment No. 192

On page 42, line 21, of said bill, strike out "2,741,190", and insert "2,669,097".

Amendment No. 193

On page 42, line 22, of said bill, strike out "1,375,741", and insert "1,287,749".

Amendment No. 194

On page 42, line 24, of said bill, strike out "128,558", and insert "125,420".

Amendment No. 195

On page 42, line 27, of said bill, strike out "4,245,489", and insert "4,082,266".

Amendment No. 196

On page 42, line 33, of said bill, strike out "4,145,018", and insert "3,981,795".

Amendment No. 197

On page 42, line 36, of said bill, strike out "5,753,291", and insert "5,348,268".

Amendment No. 198

On page 42, line 43, of said bill, strike out "3,982,204", and insert "3,699,352".

Amendment No. 199

On page 42, line 44, of said bill, strike out "1,757,912", and insert "1,639,361",

Amendment No. 200

On page 42, line 46, of said bill, strike out "160,405", and insert "156,785".

Amendment No. 201

On page 42, line 49, of said bill, strike out "5,900,521", and insert "5,495,498".

Amendment No. 202

On page 43, line 7, of said bill, strike out "5,753,291", and insert "5,348,268".

Amendment No. 203

On page 43, line 10, of said bill, strike out "2,961,253", and insert "2,869,874".

Amendment No. 204

On page 43, line 16, of said bill, strike out "1,949,463", and insert "1,921,211".

Amendment No. 205

On page 43, line 17, of said bill, strike out "1,054,991", and insert "992,105".

Amendment No. 206

On page 43, line 19, of said bill, strike out "51,026", and insert "50,785".

Amendment No. 207

On page 43, line 22, of said bill, strike out "3,055,480", and insert "2,964,101".

Amendment No. 208

On page 43, line 27, of said bill, strike out "2,961,253", and insert "2,869,874".

Amendment No. 209

On page 43, line 30, of said bill, strike out "2,592,996", and insert "2,516,793".

Amendment No. 210

On page 43, line 37, of said bill, strike out "1,814,564", and insert "1,787,102".

Amendment No. 211

On page 43, line 38, of said bill, strike out "798,316", and insert "750,057".

Amendment No. 212

On page 43, line 40, of said bill, strike out "72,130", and insert "71,648".

Amendment No. 213

On page 43, line 43, of said bill, strike out "2,685,010", and insert "2,608,807".

Amendment No. 214

On page 43, line 49, of said bill, strike out "2,592,996", and insert "2,516,793".

Amendment No. 215

On page 43, line 52, of said bill, strike out "3,189,993", and insert "3,085,147".

Amendment No. 216

On page 44, line 7, of said bill, strike out "2,116,752", and insert "2,074,364".

Amendment No. 217

On page 44, line 8, of said bill, strike out "1,083,458", and insert "1,021,241".

Amendment No. 218

On page 44, line 10, of said bill, strike out "94,547", and insert "94,296".

Amendment No. 219

On page 44, line 13, of said bill, strike out "3,294,747", and insert "3,189,901".

Amendment No. 220

On page 44, line 18, of said bill, strike out "3,189,993," and insert "3,085,147".

Amendment No. 221

On page 44, line 21, of said bill, strike out "4,046,103", and insert "3,888,954".

Amendment No. 222

On page 44, line 28, of said bill, strike out "2,710,142", and insert "2,646,915".

Amendment No. 223

On page 44, line 29, of said bill, strike out "1,380,322", and insert "1,287,687".

Amendment No. 224

On page 44, line 31, of said bill, strike out "86,418", and insert "85,131".

Amendment No. 225

On page 44, line 34, of said bill, strike out "4,176,882", and insert "4,019,733".

Amendment No. 226

On page 44, line 40, of said bill, strike out "4,046,103", and insert "3,888,954".

Amendment No. 227

On page 44, line 43, of said bill, strike out "2,604,664", and insert "2,509,939".

Amendment No. 228

On page 45, line 4, of said bill, strike out "1,886,508", and insert "1,833,734".

Amendment No. 229

On page 45, line 5, of said bill, strike out "659,436", and insert "620,796".

Amendment No. 230

On page 45, line 6, of said bill, strike out "148,796", and insert "145,485".

Amendment No. 231

On page 45, line 9, of said bill, strike out "2,694,740", and insert "2,600,015".

Amendment No. 232

On page 45, line 15, of said bill, strike out "2,604,664", and insert "2,509,939".

Amendment No. 233

On page 45, line 18, of said bill, strike out "4,008,171", and insert "3,857,905".

Amendment No. 234

On page 45, line 25, of said bill, strike out "2,777,339", and insert "2,706,924".

Amendment No. 235

On page 45, line 26, of said bill, strike out "1,175,083", and insert "1,097,565".

Amendment No. 236

On page 45, line 27, of said bill, strike out "142,393", and insert "140,060".

Amendment No. 237

On page 45, line 30, of said bill, strike out "4,094,815", and insert "3,944,549".

Amendment No. 238

On page 45, line 36, of said bill, strike out "4,008,171", and insert "3,857,905".

Amendment No. 239

On page 45, line 39, of said bill, strike out "4,533,571", and insert "4,374,959".

Amendment No. 240

On page 45, line 46, of said bill, strike out "3,162,567", and insert "3,102,415".

Amendment No. 241

On page 45, line 47, of said bill, strike out "1,396,150", and insert "1,300,364".

Amendment No. 242

On page 45, line 49, of said bill, strike out "117,929", and insert "115,255".

Amendment No. 243

On page 45, line 52, of said bill, strike out "4,676,646", and insert "4,518,034".

Amendment No. 244

On page 46, line 7, of said bill, strike out "4,533,571", and insert "4,374,959".

Amendment No. 245

On page 46, line 10, of said bill, strike out "2,403,655", and insert "2,317,362".

Amendment No. 246

On page 46, line 17, of said bill, strike out "1,666,853", and insert "1,624,118".

Amendment No. 247

On page 46, line 18, of said bill, strike out "708,592", and insert "665,757".

Amendment No. 248

On page 46, line 19, of said bill, strike out "95,485", and insert "94,762".

Amendment No. 249

On page 46, line 22, of said bill, strike out "2,470,930", and insert "2,384,637".

Amendment No. 250

On page 46, line 28, of said bill, strike out "2,403,655", and insert "2,317,362".

Amendment No. 251

On page 46, line 31, of said bill, strike out "3,823,068", and insert "3,683,882".

Amendment No. 252

On page 46, line 38, of said bill, strike out "2,681,955", and insert "2,617,625".

Amendment No. 253

On page 46, line 39, of said bill, strike out "1,110,989", and insert "1,037,350".

Amendment No. 254

On page 46, line 41, of said bill, strike out "101,944", and insert "100,727".

Amendment No. 255

On page 46, line 44, of said bill, strike out "3,894,888", and insert "3,755,702".

Amendment No. 256

On page 46, line 51, of said bill, strike out "3,823,068", and insert "3,683,882".

Amendment No. 257

On page 47, line 46, of said bill, strike out "8,990,456", and insert "9,001,432".

Amendment No. 258

On page 48, line 4, of said bill, strike out "7,814,010", and insert "7,819,506".

Amendment No. 259

On page 48, line 6, of said bill, strike out "2,693,969", and insert "2,696,369".

Amendment No. 260

On page 48, line 8, of said bill, strike out "152,168", and insert "155,248".

Amendment No. 261

On page 48, line 11, of said bill, strike out "10,660,147", and insert "10,671,123".

Amendment No. 262

On page 48, line 23, of said bill, strike out "8,990,456", and insert "9,001,432".

Amendment No. 263

On page 48, line 43, of said bill, strike out "172,763", and insert "210,818".

Amendment No. 264

On page 49, line 3, of said bill, strike out "302,761", and insert "275,624".

Amendment No. 265

On page 49, line 9, of said bill, strike out "356,057", and insert "328,920".

Amendment No. 266

On page 49, line 13, of said bill, strike out "183,294", and insert "118,102".

Amendment No. 267

On page 49, line 16, of said bill, strike out "172,763", and insert "210,818".

Amendment No. 268

On page 50, line 4, of said bill, strike out "585,262", and insert "596,762".

Amendment No. 269

On page 50, line 6, of said bill, strike out "38,577", and insert "49,899".

Amendment No. 270

On page 50, line 9, of said bill, strike out "2,087,794", and insert "2,110,616".

Amendment No. 271

On page 50, line 17, of said bill, strike out "537,971", and insert "560,793".

Amendment No. 272

On page 50, line 35, of said bill, strike out "537,971", and insert "560,793".

Amendment No. 273

On page 51, line 33, of said bill, strike out "5,260,022", and insert "5,249,441".

Amendment No. 274

On page 51, line 39, of said bill, strike out "2,789,579", and insert "2,780,712".

Amendment No. 275

On page 51, line 41, of said bill, strike out "2,171,926", and insert "2,170,212".

Amendment No. 276

On page 51, line 46, of said bill, strike out "5,358,413", and insert "5,347,832".

Amendment No. 277

On page 52, line 10, of said bill, strike out "5,260,022", and insert "5,249,441".

Amendment No. 278

On page 52, line 27, of said bill, insert "41,483".

Amendment No. 279

On page 52, line 25, of said bill, insert

"190—For support of Wildlife Conservation Board, Department of Natural Resources, payable from the Wildlife Restoration Fund_____ _____".

Amendment No. 280

On page 52, line 30, of said bill, strike out "7,922,923", and insert "7,951,670".

Amendment No. 281

On page 52, line 37, of said bill, strike out "2,918,368", and insert "2,947,115".

Amendment No. 282

On page 52, line 40, of said bill, strike out "9,408,856", and insert "9,437,603".

Amendment No. 283

On page 53, line 9, of said bill, strike out "7,922,923", and insert "7,951,670".

Amendment No. 284

On page 57, line 16, of said bill, strike out "139,526", and insert "146,646".

Amendment No. 285

On page 57, line 19, of said bill, strike out "83,058", and insert "89,178".

Amendment No. 286

On page 57, line 21, of said bill, strike out "56,261", and insert "57,261".

Amendment No. 287

On page 57, line 25, of said bill, strike out "139,526", and insert "146,646".

Amendment No. 288

On page 61, line 15, of said bill, strike out "exclusive of Bureau of Cannery Inspection."

Amendment No. 289

On page 61, line 16, of said bill, strike out "3,913,298", and insert "4,015,601".

Amendment No. 290

On page 61, line 19, of said bill, strike out "438,633", and insert "317,184".

Amendment No. 291

On page 61, line 33, of said bill, strike out "3,411,231", and insert "3,407,691".

Amendment No. 292

On page 61, line 35, of said bill, strike out "2,329,172", and insert "2,315,081".

Amendment No. 293

On page 61, line 37, of said bill, strike out "116,622", and insert "116,447".

Amendment No. 294

On page 61, line 40, of said bill, strike out "272,898", and insert "271,558".

Amendment No. 295

On page 61, line 43, of said bill, strike out "6,129,923", and insert "6,110,777".

Amendment No. 296

On page 62, line 12, of said bill, strike out "3,913,298", and insert "4,015,601".

Amendment No. 297

On page 62, line 14, of said bill, strike out "438,633", and insert "317,184".

Amendment No. 298

On page 63, line 44, of said bill, strike out "95,414", and insert "96,119".

Amendment No. 299

On page 64, line 11, of said bill, strike out "125,744", and insert "125,039".

Amendment No. 300

On page 64, line 14, of said bill, strike out "95,414", and insert "96,119".

Amendment No. 301

On page 64 of said bill, between lines 43 and 44, insert

"242.1—From the State Highway Fund for the surveys, plans, estimates of costs, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, including necessary approaches, to be expended through and upon authorization of the Department of Public Works $750,000
The California Toll Bridge Authority shall return said appropriation, or so much thereof as may be used, with interest thereon at the rate of one and one-half percent (1½%) per annum, to be computed on the total amount, withdrawn during any one year, to the State Highway Fund in the State Treasury from the proceeds of the first sale of revenue bonds issued for the construction of said bridge or other crossing under provisions of the California Toll Bridge Authority Act, Chapter 1, Division 17, of the Streets and Highways Code, as amended; provided, that in the event revenue bonds are not issued and sold for the construction of a toll bridge or other toll highway crossing any moneys expended hereunder for surveys, plans, estimates of costs, specifications or other engineering expenses shall be returned to the State Highway Fund in the State Treasury from the tolls and revenues of the existing San Francisco-Oakland Bay Bridge, but only after all revenue bonds issued and sold by the California Toll Bridge Authority for the construction of said bridge, or for the refunding of the indebtedness thereof, have been fully redeemed and paid and all other obligations of the bridge have been fully satisfied, including repayment to the State Highway Fund of all moneys appropriated by the State and expended from the State Highway Fund for the acquisition and construction of the highway approaches leading to and upon such toll bridge at both the Alameda County and San Francisco ends thereof, as provided by Section 30607 of the Streets and Highways Code. The California Toll Bridge Authority is hereby authorized to continue to fix and collect tolls on said bridge for the purpose of reimbursement of the State Highway Fund as may be required by this proviso."

Amendment No. 302

On page 64, line 47, of said bill, strike out "1,262,785", and insert "1,265,195".

Amendment No. 303

On page 65, line 7, of said bill, strike out "986,836", and insert "989,116".

Amendment No. 304

On page 65, line 10, of said bill, strike out "66,746", and insert "66,876".

Amendment No. 305

On page 65, line 15, of said bill, strike out "1,417,939", and insert "1,420,349".

Amendment No. 306

On page 65, line 25, of said bill, strike out "1,262,785", and insert "1,265,195".

Amendment No. 307

On page 66, line 11, of said bill, strike out "108,447", and insert "102,547".

Amendment No. 308

On page 66, line 17, of said bill, strike out "72,111", and insert "66,211".

Amendment No. 309

On page 66, line 23, of said bill, strike out "110,947", and insert "105,047".

Amendment No. 310

On page 66, line 29, of said bill, strike out "108,447", and insert "102,547".

Amendment No. 311

On page 66, line 40, of said bill, strike out "2,854".

Amendment No. 312

On page 66 of said bill, strike out lines 39 and 40.

Amendment No. 313

On page 67 of said bill, between lines 13 and 14, insert

"252.5—For support of the Interim San Francisco Bay Ports Commission__ 40,000".

Amendment No. 314

On page 67, line 18, of said bill, strike out "1,904,224", and insert "1,844,179".

Amendment No. 315

On page 67, line 27, of said bill, strike out "1,848,592", and insert "1,803,355".

Amendment No. 316

On page 67, line 29, of said bill, strike out "824,273", and insert "792,943".

Amendment No. 317

On page 67, line 30, of said bill, strike out "13,864", and insert "8,168".

Amendment No. 318

On page 67, line 32, of said bill, strike out "147,767", and insert "144,757".

Amendment No. 319

On page 67, line 35, of said bill, strike out "2,834,496", and insert "2,749,223".

Amendment No. 320

On page 67, line 39, of said bill, strike out "930,272", and insert "905,044".

Amendment No. 321

On page 67, line 42, of said bill, strike out "1,904,224", and insert "1,844,179".

Amendment No. 322

On page 67, line 45, of said bill, strike out "95,950", and insert "76,093".

Amendment No. 323

On page 67, line 47, of said bill, strike out "60,127", and insert "45,297".

Amendment No. 324

On page 67, line 48, of said bill, strike out "34,821", and insert "30,664".

Amendment No. 325

On page 67, line 49, of said bill, strike out "1,002", and insert "132".

Amendment No. 326

On page 67, line 51, of said bill, strike out "95,950", and insert "76,093".

Amendment No. 327

On page 68, line 5, of said bill, strike out "239,512", and insert "238,512".

Amendment No. 328

On page 68, line 11, of said bill, strike out "47,256", and insert "46,256".

Amendment No. 329

On page 68, line 14, of said bill, strike out "255,512", and insert "254,512".

Amendment No. 330

On page 68, line 20, of said bill, strike out "239,512", and insert "238,512".

Amendment No. 331

On page 68, line 48, of said bill, strike out "1,463,636", and insert "1,459,184".

Amendment No. 332

On page 69, line 10, of said bill, strike out "1,569,333", and insert "1,564,881".

Amendment No. 333

On page 69, line 15, of said bill, strike out "2,401,315", and insert "2,396,863".

Amendment No. 334

On page 69, line 25, of said bill, strike out "1,463,636", and insert "1,459,184".

Amendment No. 335

On page 70, line 24, of said bill, strike out "98,289", and insert "163,920".

Amendment No. 336

On page 70, line 47, of said bill, strike out "45,308", and insert "77,030".

Amendment No. 337

On page 71, line 13, of said bill, strike out "19,622", and insert "19,626".

Amendment No. 338

On page 71, line 16, of said bill, strike out "4,521", and insert "6,327".

Amendment No. 339

On page 71, line 17, of said bill, strike out "933", and insert "974".

Amendment No. 340

On page 71, line 18, of said bill, strike out "2,069", and insert "8,295".

Amendment No. 341

On page 71, line 19, of said bill, strike out "40,681", and insert "46,627".

Amendment No. 342

On page 71, line 21, of said bill, strike out "194", and insert "417".

Amendment No. 343

On page 71, line 25, of said bill, strike out "12", and insert "2,214".

Amendment No. 344

On page 71 of said bill between lines 25 and 26, insert

"(nn) Wildlife Restoration Fund ..... 4,190".

Amendment No. 345

On page 71, line 29, of said bill, strike out "130", and insert "13,030".

Amendment No. 346

On page 71 of said bill, after line 36, insert

"(u) Funds in the possession of and under the control of the 35th District Agricultural Association 325

(v) Funds in the possession of and under the control of the 17th District Agricultural Association ..... 50".

Amendment No. 347

On page 71, line 38, of said bill, strike out "98,289", and insert "163,920".

Amendment No. 348

On page 72 of said bill, after line 19, insert

"Before the State Personnel Board or other administrative salary-fixing authority establishes any increased salary range during the 1951-52 Fiscal Year, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or can be made available from the appropriation in this item, to meet the cost of the increased salary range; provided that, except for increases authorized under Section 18853 of the Government Code or by specific statute,

increases in compensation provided by increased salary ranges established by the Personnel Board or other administrative salary-fixing authority during the Fiscal Year 1951-52 shall not result in total annual salary increases of more than $8,000,000 for employees whose compensation is payable from the General Fund and salary adjustments payable from funds other than the General Fund shall be limited so as to provide equitable treatment as between employees in General Fund agencies and no-General Fund agencies."

Amendment No. 349

On page 73, line 27, of said bill, after "culture", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 350

On page 73, line 39, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 351

On page 73, line 53, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 352

On page 74, line 5, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 353

On page 74, line 12, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 354

On page 74, line 15, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 355

On page 74, line 19, of said bill, after "Schedule", insert ", payable from the Capital Outlay and Savings Fund,".

Amendment No. 356

On page 74 of said bill, after line 23, insert

"277.2—For acquisition of real property, California State Prison at Folsom, Department of Corrections, to be expended under the provisions of the Property Acquisition Act, payable from the Capital Outlay and Savings Fund ---------- 39,000".

Amendment No. 357

On page 74, line 27, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 358

On page 74, line 37, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 359

On page 74, line 41, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 360

On page 74, line 48, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 361

On page 74, line 51, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 362

On page 75, line 9, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 363

On page 75, line 10, of said bill, strike out "628,214", and insert "580,085".

Amendment No. 364

On page 75 of said bill, strike out all of lines 12 to 16, inclusive, and insert

"(a) Equipment ---------- 580,085".

Amendment No. 365

On page 75, line 19, of said bill, strike out "628,214", and insert "580,085".

Amendment No. 366

On page 75 of said bill, after line 19, insert

"283.1—For major construction, improvements, and equipment, additional cost, Vocational and Agricultural Institution, Department of Corrections, payable from the Capital Outlay and Savings Fund_____ 555,800".

Amendment No. 367

On page 75, line 22, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 368

On page 75, line 26, of said bill, after "Act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 369

On page 75, line 30, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 370

On page 75, line 41, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 371

On page 75, line 50, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 372

On page 76, line 9, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 373

On page 76, line 13, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 374

On page 76, line 21, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 375

On page 76, line 24, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 376

On page 76, line 24, of said bill, strike out "30,110", and insert "19,660".

Amendment No. 377

On page 76, line 28, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 378

On page 76, line 35, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 379

On page 76, line 45, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 380

On page 76, line 49, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 381

On page 77, line 9, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 382

On page 77, line 13, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 383

On page 77, line 21, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 384

On page 77, line 24, of said bill, after "Authority," strike out "in accordance with the following", and insert "payable from the Capital Outlay and Savings Fund ..... 905,000".

Amendment No. 385

On page 77 of said bill, strike out all of lines 25 to 47, inclusive.

Amendment No. 386

On page 77 of said bill, after line 47, insert

"298.1—For acquisition of real property, Ventura School for Girls, Youth Authority, to be expended under the provisions of the Property Acquisition Act, payable from the Capital Outlay and Savings Fund ..... 200,000".

Amendment No. 387

On page 77 of said bill, after line 47, insert

"298.2—For major construction, improvements and equipment, Ventura School for Girls, Youth Authority, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		135,000
(a) Preliminary plans	60,000	
(b) Repairs and improvements to buildings and elimination of fire hazards	75,000	
Total of schedule	135,000".	

Amendment No. 388

On page 77, line 50, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 389

On page 78, line 5, of said bill, after "Schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 390

On page 78, line 13, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 391

On page 78, line 18, of said bill, strike out "468,746", and insert "528,746".

Amendment No. 392

On page 78, after line 38, of said bill, insert

"(k) Fire house and equipment ..... 60,000".

Amendment No. 393

On page 78, line 40, of said bill, strike out "468,746", and insert "528,746".

Amendment No. 394

On page 78, after line 40, of said bill, insert

"302.1. For construction and equipment of projects for Fresno State College that are payable from the State College Fund, to be allocated by the Director of Finance upon approval of the State Public Works Board to and for expenditure upon such projects for which money has been made available and which cannot be undertaken because bids received are in excess of the estimate or the amount available for such construction, or for equipment for any such project, payable from the State College Fund ..... 190,000".

Amendment No. 395

On page 78, line 47, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 396

On page 78, line 51, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 397

On page 79, line 6, of said bill, after "cation", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 398

On page 78 of said bill, after line 47, insert

"304 1. For minor construction, improvements, and equipment, Humboldt State College, Department of Education, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund 36,000

Schedule:

(a) Equip science laboratories 36,000

Total of schedule ..... 36,000".

Amendment No. 399

On page 79, line 10, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 400

On page 79, line 14, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 401

On page 79, of said bill, strike out line 22, and insert "lowing schedule, payable from the Capital Outlay and Savings Fund ..... 518,500"

Amendment No. 402

On page 79 of said bill, strike out all of lines 24 to 29, inclusive.

Amendment No. 403

On page 79, line 30, of said bill, strike out "(d)", and insert "(a)".

Amendment No. 404

On page 79, line 32, of said bill, strike out "(e)", and insert "(b)".

Amendment No. 405

On page 79, line 35, of said bill, strike out "1,448,500", and insert "518,500".

Amendment No. 406

On page 79, after line 35, of said bill, insert

"305 1—For major construction, improvements, and equipment, San Diego State College, Department of Education, in accordance with the following schedule payable from the Capital Outlay and Savings Fund 930,000

Schedule:

(a) Boiler plant addition 70,000

(b) Industrial arts and engineering building (partial cost) 363,000

(c) Music and speech arts building (partial cost) 497,000

Total of schedule ..... 930,000".

Amendment No. 407

On page 79, line 38, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 408

On page 79, line 41, of said bill, after "College", insert ', payable from the Capital Outlay and Savings Fund".

Amendment No. 409

On page 79, line 44, of said bill, after "lege", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 410

On page 80, line 14, of said bill, after "Academy", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 411

On page 80, line 17, of said bill, after "Berkeley", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 412

On page 80, line 20, of said bill, after "Berkeley", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 413

On page 80, line 23, of said bill, after "California", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 414

On page 80, line 26, of said bill, after "Oakland", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 415

On page 80, line 26, of said bill, strike out "60,248", and insert "65,252"

Amendment No. 416

On page 80, line 29, of said bill, after "Diego", insert ", payable from the Capital Outlay and Savings Fund"

Amendment No. 417

On page 80, line 32, of said bill, after "act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 418

On page 80, line 35, of said bill, after "Act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 419

On page 80, line 35, of said bill, strike out "4,761,000", and insert "3,627,000".

Amendment No. 420

On page 80, after line 35, of said bill, insert

"318.1—For major construction, improvements, and equipment, University of California, exempt from Section 13 of this act, payable from the Capital Outlay and Savings Fund---------- 1,134,000".

Amendment No. 421

On page 80, line 38, of said bill, after "act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 422

On page 80, line 42, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 423

On page 80, line 50, of said bill, after "Finance", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 424

On page 81, line 5, of said bill, strike out "Postwar Employment Reserve", and insert "Capital Outlay and Savings Fund".

Amendment No. 425

On page 81, line 30, of said bill, after "clinic", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 426

On page 81, line 34, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 427

On page 81, line 44, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 428

On page 81, line 51, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 429

On page 82, line 5, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 430

On page 82, line 8, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 431

On page 82, line 16, of said bill, after "pital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 432

On page 82, line 18, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 433

On page 82, line 21, of said bill, after "pital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 434

On page 82, line 23, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 435

On page 82, line 25, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 436

On page 82, line 27, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 437

On page 82, line 29, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 438

On page 82, line 31, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 439

On page 82, line 37, of said bill, after "Hygiene", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 440

On page 82, line 40, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 441

On page 82, line 48, of said bill, after "Colony", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 442

On page 82, line 50, of said bill, after "Home", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 443

On page 83, line 5, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 444

On page 84, line 34, of said bill, after "Corps", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 445

On page 83 of said bill, strike out lines 17 to 19, inclusive, and insert "ing schedule, payable from the Capital Outlay and Savings Fund____257,200".

Amendment No. 446

On page 83 of said bill, strike out all of lines 24 to 32, inclusive.

Amendment No. 447

On page 83, line 33, of said bill, strike out "(10)", and insert "(1)".

Amendment No. 448

On page 83, line 35, of said bill, strike out "(11)", and insert "(2)".

Amendment No. 449

On page 83, line 36, of said bill, strike out "(12)", and insert "(3)".

Amendment No. 450

On page 83, line 42, of said bill, strike out "2,056,700", and insert "257,200".

Amendment No. 451

On page 83 of said bill, strike out all of lines 43 to 47, inclusive.

Amendment No. 452

On page 84 of said bill, strike out all of lines 2 to 30, inclusive.

Amendment No. 453

On page 84 of said bill, after line 30, insert

"345.1—For major construction, improvements, and equipment, Adjutant General, California National Guard, and California Defense and Security Corps, payable from the Capital Outlay and Savings Fund and in addition thereto any grants made available by the Federal Government. 584,000

No expenditure shall be made from this item unless federal grants for such construction, improvements, and equipment become available. Funds on a federal-state sharing basis shall be used for armories in accordance with the following schedule, such federal-state sharing shall include not less than 50 percent federal funds:

Schedule:

(a) Construction, improvements, and equipment of armories in or near:

(1) Bakersfield
(2) Vallejo
(3) Fresno
(4) San Francisco
(5) Glendale
(6) Alhambra
(7) Los Angeles

provided that to the extent that the Public Works Board determines funds are available after making allocations on a federal-state sharing basis for all armories in the above schedule this item may be expended on a federal-state sharing basis for armories in or near any one of the cities and for the other purpose shown in the following schedule, such federal-state sharing shall include not less than 50 percent federal funds.

(a) Construction, improvement and equipment of armories in or near:

San Diego
Red Bluff
Delano
Gardena
Fairfax
Monterey
Santa Cruz
San Francisco
Walnut Creek
Brawley
Indio
Marysville
Mountain View
Norwalk
Oakdale
Oroville
Paso Robles
Placerville
Sacramento
San Bruno
Susanville
Tulare

(b) Additions and alterations to existing armories.

The location designation in the above schedules shall be liberally construed so as to include any location within 10 miles of a city or town named therein. It is further provided that the priority for construction of armories may be adjusted with the approval of the Public Works Board to conform to any requirements made in connection with grants by the Federal Government."

Amendment No. 454

On page 84 of said bill, before line 31, insert

"345.2—For major construction, improvements, and equipment, Adjutant General, California National Guard, and California Defense and Security Corps, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund---------- 1,215,500

Schedule:

(a) Construction, improvements, and equipment of armories in or near:

(1) San Diego	508,000
(2) Red Bluff	127,000
(3) Delano	127,000
(4) Gardena	127,000
(5) Fairfax	127,000
(6) Monterey	127,000
(7) Santa Cruz	152,500
(8) San Francisco	377,000
(9) Walnut Creek	127,000
Total of Schedule	1,799,500
Less: Amount in Item 345.1	—584,000
	1,215,500".

Amendment No. 455

On page 84, line 41, of said bill, insert

"348—For acquisitions of parcels of land in conformity with Sections 880 and 881 of the Streets and Highways Code, Division of the Beaches and Parks, Department of Natural Resources, subject to the provisions of the Property Acquisition Act, payable from the State Beach Fund 175,000
provided, that the amount expended for any parcel of land shall not exceed the difference between the appraised value of the land and the amount of any severance damages which would be payable by the Division of Highways were the parcel of land not acquired by the Division of Beaches and Parks."

Amendment No. 456

On page 85, line 7, of said bill, after "Parks", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 457

On page 85, line 27, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 458

On page 85, line 28, of said bill, strike out "261,020", and insert "269,560".

Amendment No. 459

On page 85, after line 49, of said bill, insert

"351.1—For major construction, improvements, and equipment, sewage disposal system, Carpinteria Beach State Park, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund ..... 32,625".

Amendment No. 460

On page 85, line 52, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 461

On page 86, after line 48, of said bill, insert "together with any balance remaining in Item 459, Budget Act of 1950".

Amendment No. 462

On page 86, line 51, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 463

On page 87, line 4, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 464

On page 87, line 7, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 465

On page 87, line 30, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 466

On page 87, line 30, of said bill, strike out "1,245,174", and insert "303,174".

Amendment No. 467

On page 87 of said bill, strike out all of lines 33 and 34.

Amendment No. 468

On page 87, line 35, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 469

On page 87, line 37, of said bill, strike out "(d)", and insert "(c)".

Amendment No. 470

On page 87 of said bill, strike out all of lines 38 and 39.

Amendment No. 471

On page 87, line 41, of said bill, strike out "1,245,174", and insert "303,174".

Amendment No. 472

On page 87 of said bill, after line 41, insert

"361.1—For major construction, improvements, and equipment. Veterans' Home of California, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		942,000
Schedule:		
(a) Chronic and convalescent barracks	862,000	
(b) Hospital recreation center and storage facilities	80,000	
Total of schedule	942,000".	

Amendment No. 473

On page 87, line 44, of said bill, after "fornia", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 474

On page 87, after line 44, of said bill, insert

"362.1—For facilities, materials, supplies, equipment and other requirements for civil defense, Office of Civil Defense, in accordance with the following schedule		12,000,000
and in addition thereto any amounts made available by the Federal Government, to be expended only pursuant to allotments recommended by the State Disaster Council and approved by the Director of Civil Defense, the Director of Finance, and the Governor;		
Schedule:		
(a) Construction, improvements, and equipment of communication facilities	1,000,000	
(b) Medical and first aid supplies and equipment	3,167,000	
provided that $2,000,000 of this amount shall be available only if matched by a like amount from federal grants;		
(c) Other civil defense requirements	7,833,000	
provided that no expenditure shall be made from this category until federal grants are available for matching and until this item is implemented by a specific enactment of this State prescribing the basis for matching the federal grant and for allocating this category		
Total of schedule	12,000,000".	

Amendment No. 475

On page 87 of the printed bill, between lines 45 and 46, insert

"362.2—For transfer from the General Fund to the Capital Outlay and Savings Fund 28,873,938

and in addition thereto, the amount by which the total amount of revenues received by the General Fund during the 1950-51 fiscal year, as determined by the State Controller exceeds $637,000,000.

Transfer of the amount of revenues received by the General Fund during the 1950-51 Fiscal Year, in excess of $637,000,000 shall be made as soon as said amount is determined by the State Controller, who shall report thereon to the Legislative Budget Committee.

The amount of $28,959,184, herein transferred to the Capital Outlay and Savings Fund, shall be transferred by the State Controller from the General Fund from time to time during the 1951-52

Fiscal Year as the amount in the General Fund exceeds current needs. The State Controller shall report at the end of each calendar quarter to the Legislative Budget Committee the amount so transferred. It is the intention of the Legislature that said sum of $28,959,184 shall be transferred to the Capital Outlay and Savings Fund as soon as possible without the issuance of registered warrants.

362 3—For construction and equipment of State public works projects in augmentation of current available appropriations for construction, improvement and equipment for State agencies, to be allocated by the Director of Finance upon approval of the State Public Works Board to and for expenditure upon any State public works project for which money is available and payable from the Capital Outlay and Savings Fund, except as provided in Sections 3.3 and 3.4, and which cannot be undertaken because bids received are in excess of the estimate or the amount available for such construction, or for equipment for any such project, payable from the Capital Outlay and Savings Fund 15,000,000

and in addition any unexpended balance remaining in any appropriation or allotment from the Capital Outlay and Savings Fund for any completed project which the Director of Finance with the approval of the State Public Works Board determines not to be required for expenditure pursuant to the appropriation or allotment and approves for transfer to and augmentation of this item. Whenever it is determined that there will be an unexpended balance upon the completion of any project, the transfer of such balance may be made prior to the actual date of completion of the projects.

362 4—For miscellaneous repairs, improvements, and equipment, to be allocated by the Director of Finance upon the approval of the State Public Works Board for expenditure on any State property, of which not more than $1,000,000 shall be available to the University of California, payable from the Capital Outlay and Savings Fund ... 4,000,000".

Amendment No. 476

On page 87 of said bill, strike out all of lines 48 to 50, inclusive; and on page 88, strike out all of lines 2 to 8, inclusive.

Amendment No. 477

On page 88, line 17, of said bill, strike out "4,284,366", and insert "3,296,596".

Amendment No. 478

On page 88, line 24, of said bill, strike out "4,251,554", and insert "3,263,784".

Amendment No. 479

On page 88, line 27, of said bill, strike out "4,291,366", and insert "3,303,596".

Amendment No. 480

On page 88, line 32, of said bill, strike out "4,284,366", and insert "3,296,596".

Amendment No. 481

On page 93, line 16, of said bill, strike out "95,027", and insert "45,177".

Amendment No. 482

On page 93 of said bill, strike out lines 32 to 39, inclusive, and insert

"SEC. 3.1. There is hereby created in the State Treasury a Capital Outlay and Savings Fund. No money may be expended from said fund except as appropriated in this act, or in any subsequent enactment.

The cash balance as of June 30, 1951, according to the records of the State Controller, in the Postwar Employment Reserve is hereby transferred to the Capital Outlay and Savings Fund. Except as provided in Sections 3.3 and 3.4 of this act, appropriations heretofore payable from the Postwar Employment Reserve are hereby reappropriated and shall be payable from the Capital Outlay and Savings Fund. The Postwar Employment Reserve is hereby abolished.

Whenever provision is made for the transfer of money to the Capital Outlay and Savings Fund, all or part of such transfer may be made by the transfer of bonds or other securities held by the State Treasurer at their market price, plus accrued interest computed at the date of the transfer.

Except as provided in Sections 3.3 and 3.4 of this act, any appropriation payable from the Postwar Employment Reserve and any appropriation which is subject to Section 3 of Chapter 145, Statutes of 1946, First Extraordinary Session, shall continue to be available for expenditure for the purpose for which appropriated until June 30, 1954 for determination by the State Public Works Board as to projects to be undertaken, and any amount heretofore or hereafter allotted for any project so determined

to be undertaken shall remain available for expenditure without regard to fiscal years; provided that the unencumbered balance in any such appropriation or allotment shall revert to the unappropriated balance of the Capital Outlay and Savings Fund either three years after the date on which the determination by the State Public Works Board was made, or June 30, 1954, whichever is the later

All expenditures from the Capital Outlay and Savings Fund shall be subject to determination by the State Public Works Board as provided in Section 3, Chapter 145, Statutes of 1946, First Extraordinary Session.

Nothing in this section shall authorize the State Public Works Board to expend or allocate any money in the Capital Outlay and Savings Fund for any project other than those designated and listed in the report of the Legislative Auditor, printed in the Senate Journal of June 7, 1951, in the Summary and Index thereof as projects to be included in the program for the 1951-52 Fiscal Year.

The money in the Capital Outlay and Savings Fund shall be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, having maturity dates not more than three years from the date of investment, and such securities may be sold or exchanged by the Director of Finance if in his opinion such sale or exchange is in the best interests of the State in effectuating the purposes of this section. The increment by way of interest or otherwise from such investments shall accrue to the Capital Outlay and Savings Fund in augmentation thereof

SEC. 3 2 Notwithstanding any other provision of law, all sums of money which were heretofore appropriated to The Regents of the University of California and are subject to the provisions of Section 3 of Chapter 145, Statutes of 1946, First Extraordinary Session, and which have been heretofore withdrawn from the State Treasury by The Regents of the University of California pursuant to the provisions of Section 20041 of the Education Code are hereby reappropriated for the purposes for which originally appropriated or allocated, provided that any portion of each such sum which remains after the purpose for which such sum was appropriated or allocated has been accomplished shall be used and expended by The Regents of the University of California in executing and furthering the building and improvement program of the University of California, provided that no such sums shall be allocated to projects not previously authorized by legislative appropriation or allocation by the State Public Works Board The sums of money hereby appropriated shall be available for expenditure in payment of any encumbrances incurred heretofore or hereafter without regard to fiscal years; provided, however, that any unencumbered balances existing as of June 30, 1954, shall revert to the Capital Outlay and Savings Fund

Increments by way of interest or otherwise to funds which have been appropriated or allocated for construction, improvements, repairs or equipment for the University of California, and which have been withdrawn from the State Treasury by The Regents of the University of California pursuant to the provisions of Section 20041 of the Education Code, may from time to time be used and expended by The Regents of the University of California in executing or furthering the building and improvement program of the University of California

A report shall be submitted to the State Public Works Board of any allocations made pursuant to the provisions of this section

SEC. 3 3 The following projects authorized under the following appropriations and allotments shall be deferred and no further expenditures shall be made thereon until or unless authorized by subsequent enactment.

Appropriation or allotment	Amount deferred
AGRICULTURE	
Chapter 2, Statutes of 1950, Item 283, major construction, improvements and equipment, quarantine stations at Yermo, Department of Agriculture	Unexpended balance
CORRECTIONS	
Chapter 2, Statutes 1950, Item 298, major construction, improvements, and equipment, chapel and religious education building, California State Prison at San Quentin, Department of Corrections	Unexpended balance
Chapter 2, Statutes of 1950, Item 289, major construction, improvements, and equipment, auditorium, gymnasium, and assembly, California Institution for Men, Department of Corrections	Unexpended balance
Chapter 700, Statutes of 1949, Item 292, minor construction, improvements, repairs, and equipment (prefabricated buildings), California Institution for Women, Department of Corrections	Unexpended balance
YOUTH AUTHORITY	
Chapter 2, Statutes of 1950, Item 317, major construction, improvements, and equipment, group housing and car ports, Paso Robles School for Boys, Youth Authority	Unexpended balance

Appropriation or allotment		Amount deferred
EDUCATION		
Chapter 155, Statutes of 1946 (First Extraordinary Session), as amended, acquisition of sites for, and the construction, furnishing, and equipment of, students housing on the campus of the state colleges		$2,428,918
Allocations from Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended:		
Executive Order No. E51-281 for construction, improvements, and equipment (student housing), San Diego State College, Department of Education		978,563
Executive Order No. E51-282 for construction, improvements, and equipment (student housing), San Francisco State College, Department of Education		792,917
Executive Order No. E51-99 for construction, improvements, and equipment, School for Cerebral Palsied Children, Northern California, Department of Education		75,000
Executive Order No. E51-283 for construction, improvements, and equipment, School for Cerebral Palsied Children, Southern California, Department of Education		368,920
The maximum amounts available for allocation for the several state agencies as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session), shall be reduced in the following amount:		
Department of Education	2,215,400	
Chapter 486, Statutes of 1947, Item 111, as amended, for acquisition of real property, construction of buildings, improvements of grounds, and purchase equipment, School for Cerebral Palsied Children, Southern California, Department of Education		144,640
Chapter 23, Statutes of 1948, Item 109.5, for acquisition of and improvement of sites and construction and equipment of buildings, Los Angeles State College, Department of Education		1,500,000
UNIVERSITY OF CALIFORNIA		
Chapter 145, Statutes of 1946, as amended		3,990,221
The maximum amounts available for allocation for the several state agencies as set forth in the schedule in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended, shall be reduced in the following amount:		
University of California	3,990,221	
FINANCE		
Chapter 1318, Statutes of 1947, for the acquisition of a site in the County of Sacramento and the improvement thereof, including preparation of plans and specifications for use of the State Agricultural Society for an annual fair or exposition		Unexpended balance
Chapter 2, Statutes of 1950, Item 367, major construction, improvements, and equipment at new State Fair site, State Agricultural Society, Department of Finance		Unexpended balance
Chapter 145, Statutes of 1946 (First Extraordinary Session) as amended		2,967,788
The maximum amounts available for allocation for the several state agencies as set forth in the schedule in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended, shall be reduced in the following amount:		
State Agricultural Society and Exposition Park—		
Sixth District Agricultural Association	2,967,788	
MENTAL HYGIENE		
Allocations from Chapter 145, Statutes of 1946 (First Extraordinary Session) as amended:		
Executive Order No. E49-521, construction, improvements, and equipment (firehouse and employees' quarters), Agnews State Hospital, Department of Mental Hygiene		Unexpended balance
Executive Order No. E49-460, construction, improvements, and equipment (six physicians' apartments), Stockton State Hospital, Department of Mental Hygiene		Unexpended balance

Appropriation or allotment	Amount deferred
Chapter 2, Statutes of 1950, Item 379, major construction, improvements, and equipment, shoe shop, mattress and maintenance shop, Agnews State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 381, major construction, improvements, and equipment, ward building, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 383, major construction, improvements, and equipment, laundry addition, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 384, major construction, improvements, and equipment, cold storage addition, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 387, major construction, improvements, and equipment, physicians' apartments, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 389, major construction, improvements, and equipment, auditorium, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 402, major construction, improvements, and equipment, industrial and maintenance shop buildings, Napa State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 408, major construction, improvements, and equipment, administration building, Norwalk State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 409, major construction, improvements and equipment, ward building, Norwalk State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 414, major construction, improvements, and equipment, firehouse, Patton State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 416, major construction, improvements, and equipment, mattress shop, Patton State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 428, major construction, improvements, and equipment, addition to administration building, Pacific Colony	Unexpended balance
Chapter 2, Statutes of 1950, Item 431, major construction, improvements, and equipment, maintenance and shop building, Pacific Colony	Unexpended balance
MILITARY AFFAIRS	
Chapter 2, Statutes of 1950, Item 439, major construction, improvements, and equipment of armories, Adjutant General and California National Guard	758,500
and Schedule A shall be reduced in the following amounts:	
Alhambra	297,500
Bakersfield	9,000
Glendale	14,500
Los Angeles	325,000
Vallejo	112,500
Chapter 700, Statutes of 1949, Item 372.9n, for construction and equipment of armory at Fresno, Adjutant General and California National Guard	Unexpended balance
VETERANS' HOME	
Chapter 2, Statutes of 1950, Item 469, major construction, improvements, and equipment, installation of ground lighting, Veterans' Home of California	Unexpended balance
Chapter 2, Statutes of 1950, Item 475, major construction, improvements, and equipment of road at the Mall, Veterans' Home of California	Unexpended balance
Chapter 2, Statutes of 1950, Item 479, major construction, improvements, and equipment, Commandants' residence, Veterans' Home of California	Unexpended balance

Appropriation or allotment	Amount deferred
Allocations from Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended:	
Executive Order No. E 51-275 for construction, improvements, and equipment (west wing of hospital), Veterans' Home of California	413,133
The maximum amounts available for allocations for the several state agencies as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session) shall be reduced in the following amount:	
Veterans' Home $413,133	
Chapter 127, Statutes of 1946, construction, improvements, and equipment (west wing of hospital) Veterans' Home of California	218,276

The following items of appropriations under Section 2 of this act are deferred and no expenditure shall be made therefrom until or unless authorized by subsequent enactment:

Item No.	Appropriation
273	For major construction, improvements, and equipment, Medical Facility, Department of Corrections.
278	For major construction, improvements, and equipment, California State Prison at San Quentin, Department of Corrections.
282	For major construction, improvements, and equipment, New Medium Security Prison.
283.1	For major construction, improvements, and equipment, additional cost, Vocational and Agricultural Institution, Department of Corrections
284.1	For acquisition of real property, California Youth Training School, Youth Authority, to be expended under provisions of the Property Acquisition Act.
285	For major construction, improvements, and equipment, California Youth Authority Training School, Youth Authority.
287	For major construction, improvements, and equipment, Youth Authority Camps, Youth Authority.
298	For major construction, improvements, and equipment, Ventura School for Girls, Youth Authority.
205.1	For major construction, improvements, and equipment, San Diego State College, Department of Education.
318.1	For major construction, improvements, and equipment, University of California.
322	For major construction, improvements, and equipment of Governor's residence, Buildings and Grounds Division, Department of Finance.
327	For major construction, improvements, and equipment, Psychiatric Hospital Clinic, Los Angeles, Department of Mental Hygiene.
340	For major construction, improvements, and equipment, design, preliminary plans and specifications necessary for the establishment of a New Mental Hospital in Southern California, Department of Mental Hygiene.
345.2	For major construction, improvements, and equipment, Adjutant General, California National Guard, and California Defense and Security Corps.
352	For establishment and development of riding and hiking trails, Division of Beaches and Parks, Department of Natural Resources.
361.1	For major construction, improvements, and equipment, Veterans' Home of California.

SEC. 3.4 The State Controller shall, as of June 30, 1951, transfer from the Division of Architecture Revolving Fund to the Capital Outlay and Savings Fund the unexpended balances, as certified by the Director of Public Works and approved by the Director of Finance, of the amounts previously transferred to the Division of Architecture Revolving Fund for the following projects as identified by the Division of Architecture Work Orders, as shown below. The amounts so transferred shall be credited to the appropriations from which previously authorized and such appropriations shall be transferred to the Capital Outlay and Savings Fund and shall be subject to Section 3.1 of this act, and no further expenditure shall be made of the money so transferred until or unless authorized by subsequent enactment.

Work Order No.	Project Description and Previous Appropriation
	AGRICULTURE
No. 2510GC	For major construction, improvements, and equipment, quarantine station at Yermo, Department of Agriculture (Chapter 2, Statutes of 1950, Item 283).
No. 1543	Construction, improvements, and equipment for Tule Lake and Peavine Quarantine Station (Chapter 644, Statutes of 1945).

Work Order No.	Project Description and Previous Appropriation
	CORRECTIONS
No. 935	For major construction, improvements, and equipment, chapel and religious education, California State Prison at San Quentin, Department of Corrections (Chapter 2, Statutes of 1950, Item 298).
No. 935	For major construction, improvements, and equipment, chapel and religious education, California State Prison at San Quentin, Department of Corrections (Chapter 827, Statutes of 1941).
No. 2508GC	For major construction, improvements, and equipment, auditorium, gymnasium, and assembly, California Institution for Men, Department of Corrections (Chapter 2, Statutes of 1950, Item 289).
	YOUTH AUTHORITY
No. 2505	Major construction, improvements, and equipment, landscaping development, Paso Robles School for Boys, Youth Authority (Chapter 2, Statutes of 1950, Item 318).
	EDUCATION
No. 2456GC	For construction, improvements, and equipment of student housing at Fresno State College, Department of Education, (Chapter 155, Statutes of 1946) (First Extraordinary Session) as amended
No 2458GC	For construction, improvements, and equipment for student housing at San Diego State College, Department of Education, (Chapter 155, Statutes of 1946) (First Extraordinary Session), as amended
No 2530GC	For construction, improvements, and equipment for student housing at San Francisco State College (Chapter 155, Statutes of 1946) (First Extraordinary Session), as amended
No. 2457GC	For construction, improvements, and equipment of student housing at San Jose State College (Chapter 155, Statutes of 1946) (First Extraordinary Session), as amended
No. 2524GC	For construction, improvements, and equipment, School for Cerebral Palsied Children, Northern California, Department of Education, Executive Order No. E51-99, and Chapter 486, Statutes of 1947, Item 109.
No. 2524GC	For construction, improvements, and equipment, School for Cerebral Palsied Children, Northern California, (Chapter 145, Statutes of 1946) (First Extraordinary Session), as amended and the schedule of maximum amounts available for the Department of Education, as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount
	FINANCE
No. 2331GC	For the acquisition of a site in the County of Sacramento and the improvements thereof, including preparation of plans and specifications, for the use of the State Agricultural Society for an annual fair or exposition (Chapter 1318, Statutes of 1947).
No. 2197	Construction, improvements, and equipment (plans and specifications for addition to building, Sixth District Agricultural Association) (Chapter 145, Statutes of 1946, First Extra Session) (Executive Order E49-4552) and the schedule of maximum amounts available for the State Agricultural Society and Exposition Park, Sixth District Agricultural Association, as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount
	MENTAL HYGIENE
No. 2266	For construction, improvements, and equipment, fire house and employees' quarters, Agnews State Hospital, Department of Mental Hygiene (E49-521, Chapter 145, Statutes of 1946) and the schedule of maximum amounts available for the Department of Mental Hygiene as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount.
No. 2305	For minor construction, improvements, repairs and equipment (auto, repair shop and shelters for cars and trucks), Agnews State Hospital, Department of Mental Hygiene (Chapter 700, Statutes of 1949, Item 334).
No. 2570	For minor construction, improvements, repairs, and equipment, (alterations to dishwashing room at Annex), Agnews State Hospital (Chapter 2, Statutes of 1950, Item 380.1).
No. 1769	Miscellaneous repairs and improvements (incinerator), Napa State Hospital, (Chapter 145, Statutes of 1946, Executive Order E2871).

Work Order No.	Project Description and Previous Appropriation
No. 1769	Major construction, improvements and equipment (incinerator) Napa State Hospital (Chapter 486, Statutes of 1947, Item 199).
No. 2179	Minor construction, improvements, repairs, and equipment (auto repair shop) Mendocino State Hospital (Chapter 700, Statutes of 1949, Item 337).
No. 2506	Major construction, improvements, and equipment, maintenance and shop building, Pacific Colony (Chapter 2, Statutes of 1950, Item 431).
No. 2242	Construction, improvements, and equipment (six physicians' apartments), Stockton State Hospital, Department of Mental Hygiene (Chapter 145, Statutes of 1946, First Extra Session, Executive Order E 50-14) and the schedule of maximum amounts available for the Department of Mental Hygiene as set forth in Section 6, of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount.
No. 2218	Construction, improvements, and equipment, hog ranch and slaughter house, Camarillo State Hospital (Chapter 145, Statutes of 1946, Executive Order No E 49-460) and the schedule of maximum amounts available for the Department of Mental Hygiene as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount
No 2476	Major construction, improvements, and equipment, design working drawings, and specifications for additions to hospital, Langley Porter Clinic (Chapter 2, Statutes of 1950, Item 371).
No. 2455	Major construction, improvements, and equipment, design, working drawings, and specifications, Psychiatric Hospital Clinic at Los Angeles (Chapter 2, Statutes of 1950, Item 373).
No. 2428	Major construction, improvements, and equipment, design, working drawings, and specifications, for New Mental Hospital in Southern California (Institution for Mental Defectives, Costa Mesa, Chapter 2, Statutes of 1950, Item 420, as amended by Chapter 150, Statutes of 1950).
	ADJUTANT GENERAL
No 2535GC	Major construction, improvements, and equipment of armories, Adjutant General and California National Guard (Chapter 2, Statutes of 1950, Item 439)—Bakersfield Armory.
No. 2403GC	Major construction and equipment of armories at San Francisco armory, Adjutant General and California National Guard (Chapter 700, Statutes of 1949, Item 372.9cc).
No 2461GC	Major construction, improvements, and equipment of armories, Adjutant General and California National Guard (Chapter 2, Statutes of 1950, Item 439)—Glendale Armory.
No. 2237	Construction and equipment of armory at Fresno, Adjutant General and California National Guard (Chapter 700, Statutes of 1949, Item 372 9m).
	BEACHES AND PARKS
No. 2009	For construction, improvements, and equipment, Calaveras Big Trees —lodges and cabins (Chapter 23, Statutes of 1948, Item 259).
No. 1780	For construction, improvements, and equipment, Donner Monument (Chapter 23, Statutes of 1948, Item 259)
	FORESTRY
Nos. 1876.17, 1876 18, and 2274	For construction, improvements, and equipment, Riverside office building, warehouse, gas and oil house, and equipment shop and equipment storage Chapter 145, Statutes of 1946 · Executive Order No E51-202 Chapter 700, Statutes of 1949, Item No. 372 10.
	VETERANS' HOME
No. 2252	For construction and equipment of ground lighting system, Veterans' Home of California (Chapter 700, Statutes of 1949, Item 372.7c).
No. 2560	Major construction, improvements, and equipment of central warehouse (partial cost), Veterans' Home of California, (Chapter 2, Statutes of 1950, Item 476).
No 2560	For construction, improvements, and equipment (central warehouse) Veterans' Home of California (Chapter 127, Statutes of 1946).
No. 2499	Major construction, improvements, and equipment, Commandants' residence, Veterans' Home of California (Chapter 2, Statutes of 1950, Item 479).

Work Order No.	Project Description and Previous Appropriation

SEC. 3.5. The following projects as identified by the Division of Architecture Revolving Fund work orders, as shown below, shall be deferred and no further expenditures shall be made on the specified projects until or unless authorized by subsequent enactment:

No. 1780	For construction, improvements, and equipment, Donner Monument Museum, Chapter 486, Statutes of 1947, Item 238, payable from State Park Fund.
No. 1745	For construction, improvements, and equipment, Doheny Beach—concession building: Chapter 486, Statutes of 1947, Item 240, payable from State Beach Fund Chapter 23, Statutes of 1948, Item 261, payable from State Beach Fund Chapter 700, Statutes of 1949, Item 355, payable from State Beach Fund
No 1748	For construction, improvements, and equipment, Castle Crags—concession building (except water supply system): Chapter 486, Statutes of 1947, Item 238, payable from State Park Fund
No. 2320 GC	For construction, improvement, and equipment, Columbia Historic State Park: Chapter 700, Statutes of 1949, Item 354, payable from State Park Fund."

Amendment No. 483

On page 94, line 27, of said bill, after "Category", strike out "or project".

Amendment No. 484

On page 94, line 29, of said bill, after "categories", strike out "or projects".

Amendment No. 485

On page 94, line 36, of said bill, after "Category", strike out "or project".

Amendment No. 486

On page 94, line 37, of said bill, after "Category", strike out "or project".

Amendment No. 487

On page 94, line 46, of said bill, after "Category", strike out "or".

Amendment No. 488

On page 94, line 47, of said bill, strike out "project".

Amendment No. 489

On page 97 of said bill, after line 28, insert

"SEC. 13.5. No money appropriated by this act shall be used to pay the salary of any authorized state position, which position was vacant and had been vacant or continuously unfilled during the period between October 15, 1950, and July 1, 1951, except with the specific approval of the Director of Finance subsequent to July 1, 1951.

The Director of Finance, not later than thirty days prior to the convening of the 1952 Regular Session of the Legislature, shall present to the Joint Legislative Budget Committee, assembled in meeting, a report of all positions as of July 1, 1951, which were vacant or continuously unfilled during the period between October 15, 1950, and July 1, 1951, and a report of all authorizations to fill vacant positions and all positions abolished pursuant to this section."

Amendment No. 490

On page 97 of said bill, strike out all of lines 39 to 51, inclusive.

Amendment No. 491

On page 98 of said bill, strike out all of lines 1 to 44, inclusive, and insert

"SEC. 14.5. The appropriations made by this act are subject to the following provisions: State-owned motor vehicles shall be used only in the conduct of state business. No state officer or employee shall use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business.

The State Board of Control shall prescribe rules and regulations which

(a) Define the use of state-owned motor vehicles which constitutes use in the conduct of state business and distinguish such use from misappropriation for private use;

(b) Prescribe the procedure for determining and collecting from the employee responsible for the misuse the actual costs to the State attributable to misuse of state-owned motor vehicles and the disposition of such collections;

(c) Prescribe the records and reports to be kept and made by state agencies relating to the use of state-owned motor vehicles to the end that misuse may be discovered with a minimum of record keeping; provided, that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury that each such motor vehicle operated during the preceding month has not been used by him, or been permitted to be used by him, other than in the conduct of state business; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;

(d) Establish methods of vehicle control and accounting which will facilitate and encourage the pooling of vehicles for their most effective utilization;

(e) Govern the storage of state-owned motor vehicles.

The provisions of this section shall not apply to the incumbents of elective state offices.

The Department of Finance shall administer the provisions of this section and the rules and regulations adopted pursuant thereto; provided, however, that it shall be the duty of the head or governing body of each state agency to carry out and enforce this section and said rules and regulations within such state agency. Any state officer or employee who interferes or obstructs the enforcement of this section shall be subject to punitive action prescribed in the State Civil Service Act.

Any violation by a state officer or employee of this section or the rules and regulations adopted pursuant thereto shall constitute misuse of state property under Section 19572 of the Government Code.

The State Personnel Board, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of this State exempt from civil service for violating this section or the rules and regulations adopted pursuant thereto. The procedure prescribed in the State Civil Service Act for taking punitive action against state employees shall apply to punitive action taken under this paragraph.

This section shall be superseded if Assembly Bill 2005 of the 1951 Regular Session of the Legislature becomes enacted into law."

Amendment No. 492

On page 100, line 5, of said bill, after "for", insert "support for".

Amendment No. 493

On page 101 of said bill, strike out all of lines 3 to 6, inclusive, and insert

"SEC. 24. The appropriations made by Items 245.1, 328, 333.1, and 338 of Section 2, Budget Act of 1950, shall remain available for expenditure until June 30, 1952".

Amendment No. 494

On page 101 of said bill, between lines 6 and 7, insert

"SEC. 24.5. It is not the intent of the Legislature that the acquisition of property for beaches and parks be limited to acquisitions which are accompanied by a long term lease to a political subdivision by which the latter agrees to develop, maintain, and operate the park."

~~The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 500 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Chapel, Collier, Davis, Dickey, Erwin, Geddes, Hinckley, and Hollibaugh—8.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—55]

On this day the above action whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 500 was rescinded.

(See next page.)

Notice of Motion to Reconsider Senate Amendments to Assembly Bill No. 500

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 500.

Motion to Temporarily Suspend the Rules

Mr. Kirkwood moved that the Rules be temporarily suspended for the purpose of taking up the notice of motion by Mr. Beck, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lipscomb, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sullivan, Smith, Thomas, and Mr Speaker—38.

NOES—Conrad, Fleury, Hinckley, Stewart, and Waters—5.

Request for Unanimous Consent That Reconsideration Be Granted on Concurrence in Senate Amendments to Assembly Bill No. 500

Mr. Sherwin asked for, and was granted, unanimous consent that reconsideration be granted on the vote whereby the Assembly, on this day, refused concurrence in Senate amendments to Assembly Bill No. 500.

Request for Unanimous Consent That Experts Be Permitted to Answer Questions

Mr Sherwin asked for, and was granted, unanimous consent that the Legislative Auditor and the Director of Finance be seated at his desk and be permitted to answer technical questions relative to the budget if their help is needed.

Request for Unanimous Consent to Rescind Action on Roll Call on Refusal to Concur in Senate Amendments

Mr. Sherwin asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 500.

Motion to Set Special Order

Mr. Doyle moved that consideration of Senate amendments to Assembly Bill No. 500 be made a special order of business for today, June 11, 1951, at 1 30 p.m.

Motion died for lack of a second.

Motion That Further Consideration of Senate Amendments to Assembly Bill No. 500 Be Postponed for 30 Minutes

Mr. Hawkins moved that further consideration of Senate amendments to Assembly Bill No. 500 be postponed for a period of 30 minutes, and that copies of the list of legislative changes in the Budget Act of 1951 (Assembly Bill No. 500) be immediately distributed to Members.

Mr Evans seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Brown, Burkhalter, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lyon, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niebouse, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, and Waters—47

NOES—Fleury and Lipscomb—2.

Consideration of Senate amendments to Assembly Bill No. 500 ordered temporarily passed on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 178

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of nineteen hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding nineteen hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, dealing with apprenticeship.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 546?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 13, 1951, after "employer", insert "or a labor union".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 6 to 11, inclusive

Amendment No. 3

On page 1, line 5, of the printed bill, as amended in the Senate on May 11, 1951, after "apprentices", insert "on any public works,".

Amendments read.

Point of Order

Mr. Rumford arose to the following point of order: That Mr. Levering is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins requested Mr. Levering to address his remarks to the question.

The question being: Shall the Assembly concur in the Senate amendments?

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 546 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, and Thomas—41

NOES—Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grant, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, McCarthy, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—29.

Notice of Motion to Reconsider Senate Amendments to Assembly Bill No. 546

Mr. Levering gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 546.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. McCollister, Cooke, and Fleury as a Select Committee to escort to the rostrum Erle Cocke, Jr., National Commander of the American Legion; John Sheffield, Member of the Georgia Legislature, and Aide to the National Commander; Col. Nelson M. Holderman; Stanley F. Dunmire, Department Commander; T. J. De Lasaux, Fifth District Commander; Gordon A. Lyons, Department Adjutant; and Lynn S. Peterson, California Chairman of Legislation for the American Legion.

RECESS

At 11.39 a.m., on motion of Mr. McCollister, the Assembly recessed until 11.59 a.m. to welcome the distinguished American Legion Delegation; and to hear remarks from John Sheffield, Aide to the National Commander, and Erle Cocke, Jr., National Commander of the American Legion.

REASSEMBLED

At 11.59 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 629?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 2, 1951, strike out "Division", and insert "Department".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 629 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 629 ordered enrolled.

Assembly Bill No. 908—An act to amend Section 3 of, and to add Sections 3.5 and 30.02 to, the Public Utility District Act of 1921, relating to the powers of public utility districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 908?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "the powers of".

Amendment No. 2

On page 2, line 35, of said bill, as amended, strike out "only".

Amendment No. 3

On page 2, line 38, of said bill, as amended, after the period, insert "Such an election may also be called by the board of directors upon its own motion."

Amendment No. 4

On page 2, line 44, of said bill, as amended, strike out ", until the authority"; and strike out lines 45 to 48, inclusive, and insert a period.

Amendment No. 5

On page 2 of said bill, as amended, after line 48, insert

"Such a district may engage in the carrying out of any additional purposes enumerated in Subdivision Fifth of Section 30 after the affirmative vote of a majority of the electors voting at an election to approve a proposition to authorize a district to engage in the carrying out of any such additional purposes.

The district may also receive such authorization pursuant to the adoption of an ordinance by the board of directors to authorize the district to engage in the carrying out of any additional purposes enumerated in Subdivision Fifth of Section 30. Such an ordinance shall not become effective until 30 days from and after the date of its final passage If a petition, signed by not less than 15 percent of the voters of the district, protesting against the adoption of such an ordinance, is presented to the board of directors within 30 days of its adoption, the effective date of the ordinance shall be suspended, and the board of directors shall submit the same to the voters. The ordinance shall not become effective until a majority of the voters voting thereon vote in favor thereof. If the majority of the voters voting thereon do not vote in favor thereof such ordinance shall not again be enacted by the board of directors for a period of one year after the date of disapproval by the voters."

Amendment No. 6

In line 2 of the title of the printed bill, as amended in the Senate on May 9, 1951, strike out "of 1921".

Amendment No. 7

On page 1, line 2, of said bill, as amended, strike out "of 1921".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 908 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—54.

NOES—Beck, George D. Collins, Condon, Cooke, Hagen, Henderson, and Moss—7.

Assembly Bill No. 908 ordered enrolled.

POINT OF ORDER

Mr. Sherwin arose to the following point of order: That, pursuant to the provisions of a motion by Mr. Hawkins, a 30 minute period has passed, and further consideration of Senate amendments to Assembly Bill No. 500 is now in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 500

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in ac-

cordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 500?

Demand for Previous Question

Messrs. Conrad, Collier, Smith, Luckel, and Kelly demanded the previous question.

Demand for previous question sustained.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 500?

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 500 by the following vote:

AYES—Babbage, Collier, Dickey, Erwin, Geddes, Hinckley, Hollibaugh, Levering, and Silliman—9.

NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

Appointment of Committee on Conference Concerning Assembly Bill No. 500

The Speaker announced the appointment of Messrs. Sherwin, Hinckley, and Moss as a Committee on Conference concerning Assembly Bill No. 500.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF INTERIM COMMITTEE ON WAYS AND MEANS BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a Report of the Interim Committee on Ways and Means be ordered printed in the Journal, in 10 point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to presentation of bills to the Governor after final adjournment, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 8, 1951

Honorable Sam L. Collins
Assembly Chamber

PRESENTATION OF BILLS TO THE GOVERNOR AFTER FINAL ADJOURNMENT—No. 9356

DEAR MR. COLLINS:

Question

You have asked that we re-examine the conclusions reached in a prior opinion of this office respecting the presentation of bills to the Governor for his signature, in the light of recent changes in the Constitution

and statutes of this State. The conclusion reached in that opinion was that no precedent could be found in California for the presentation of bills to the Governor following final adjournment of the Legislature.

Opinion

It is our conclusion that the prior opinion accurately sets forth the state of the legislative precedents in California, and that presentation of bills to the Governor prior to final adjournment is the safest procedure. In the light of the 120 day limitation on the length of general legislative sessions adopted on November 8, 1949 (Art. IV, Sec. 2), however, the Legislature may be unable to present every bill which it has passed in the closing moments of the session to the Governor prior to adjournment. If this happens and if every act requiring action by the houses of the Legislature has been performed prior to final adjournment, we think it very probable that the California courts will follow the precedents established in other states which have had constitutionally-limited sessions and will sustain the validity of such acts if they are approved by the Governor within the 30 day period following adjournment which is prescribed in the Constitution. The validity of this conclusion can only be established by a decision of the California Supreme Court, however, and we recommend that (to the extent possible) all bills be presented to the Governor prior to final adjournment.

Analysis

Our previous opinion on this question [1] pointed out that there was no limitation on the length of any session of the Legislature and that, should the time fixed for adjournment sine die provide insufficient time to allow the legislative officers charged with the duty of enrolling, engrossing, and presenting bills to the Governor, to properly perform those vital functions, the Legislature could fix a later time for adjournment sine die. The opinion then pointed out that it is possible to show that by long standing usage and custom, past Legislatures had uniformly presented all bills to the Governor prior to adjournment.

Since that opinion was written Section 2 of Article IV of the California Constitution has been amended to provide that no general session shall exceed 120 calendar days, exclusive of the constitutional recess, and no budget session shall exceed 30 calendar days.

This amendment, in effect, puts regular law making in this State on a biennial basis and compresses the process of considering and acting upon all legislative proposals into a period of 120 days in odd numbered years. Conceding the desirability of so spacing the consideration of proposed legislation as to avoid a rush in the closing days of the session, it appears from statements of qualified authorities on legislative procedure that such a rush occurs in most state legislatures and that effective means to prevent it have not yet been found.[2]

It is, therefore, not unlikely that a considerable number of bills will be finally passed by the Legislature shortly before the session expires pursuant to Section 2 of Article IV of the Constitution, and the Legislature will, for the first time, be unable to extend the time for adjournment sine die.

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[1] See Assembly Journal, April 12, 1949, pp 1930 et seq; Senate Journal April 12, 1949, pp. 1136 et seq.
[2] See, for example, "The Legislature of California," C C Young, p. 243

In the face of this new situation, brought about by the adoption of a constitutional amendment since our prior opinion was rendered, the legislative precedent of presenting bills to the Governor before final adjournment loses much of its force. Where a legislative body has full control over the length of its sessions it properly could decide to remain in session, after having concluded its law-making activities, to supervise the ministerial and clerical task of certification, verification and delivery of bills to the Governor. We doubt that this would impel a conclusion that such legislative body is compelled to remain in session for the sole purpose of supervising the completion of those ministerial and clerical tasks.

In view of these factors we believe it probable that a California Court, being presented with this question for the first time [3] would be inclined to follow the great weight of authority in other jurisdictions, and particularly those jurisdictions in which the Constitution limits the duration of a session. If we are correct in this belief the California courts would hold, with the courts of other jurisdictions, that a bill which has been duly passed by both houses of the Legislature during a session, may be presented to the Governor after final adjournment of that session.

In *Dow* vs. *Beidleman*, 5 S W. 297, The Supreme Court of Arkansas [4] in holding that a bill could be presented to the Governor after final adjournment said:

> "The question, then, is resolved into this: Whether a bill, that has passed both houses, may be submitted to the governor, for his approval, after the adjournment of the legislature, or whether it must be presented to him while the legislative body is still in session. The constitution ordains that every such bill shall be presented to the governor. If he approves it, he shall sign it; but if he shall not approve it, he shall return it, with his objections, to the house in which it originated, which house shall proceed to reconsider it. 'If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the general assembly, by their adjournment, prevent its return, in which case it shall become a law, unless he shall file the same, with his objections, in the office of the secretary of state, and give notice thereof by public proclamation within twenty days after such adjournment.' Const. art. 6, § 15. Nothing in this language implies that all bills must be transmitted to the governor before the adjournment of the assembly. He is prevented by the adjournment from returning the bill, whether the bill is in his hands before it adjourns, or reaches his hands afterwards. The term of members does not expire when it adjourns, nor do all the functions and powers of its officers then cease. It may often happen, in the case of bills passed in the closing hours of a session, that there is not sufficient time to enroll them

[3] "Fowler vs Peirce," 2 Cal 165, did not involve this question The question presented was whether a bill signed by the Governor after final adjournment was valid The Constitution at that time provided that if the Governor shall not return a bill within 10 days it shall become a law "unless the Legislature, by adjournment prevents such return" There was no provision, as there is in our present Constitution, authorizing the Governor to sign a bill within 30 days after final adjournment The case cited, assuming part of it has survived the overruling language in "Sherman vs Story," 30 Cal 253, 279, 280, goes no further than to hold that the Constitution of 1849 did not authorize the Governor to approve bills after final adjournment In 1879, however, that power was given to the Governor, and he has exercised it ever since.

[4] The duration of legislative sessions in Arkansas is limited by the constitution of that state, but may be extended by a two-thirds vote (Art V, Sec. 17.)

properly, and present them to the executive, before an adjournment takes place. The effect is not that, under the circumstances, the bill fails to become a law."

To the same effect is *Monroe* vs. *Green* 76 S.W. 199, in which the right to present a bill after final adjournment was affirmed, provided the presentation occurred within the 20-day period during which the governor could constitutionally veto it. See also *Russell* vs. *Cone,* 272 S.W. 678 in which the same court upheld the validity of a statute providing for a committee of the legislature charged with the duty of enrolling bills and presenting them to the governor after final adjournment,[5] and *Barker* vs. *State,* 174 S.W. 2d 545.

In *Amos* vs. *Gunn* 94 So. 615, three justices of the Florida Supreme Court [6] indicated that bills must be presented to the governor prior to final adjournment. However, in the later case of *State ex rel Thompson* vs. *Davis,* 169 So. 199, the same court stated that bills duly passed in the closing hours of a session could constitutionally be presented to the governor after final adjournment.

In *Preveslin* vs. *Derby and Ansonia Developing Co.,* 151 Atl. 518, the Supreme Court of Connecticut [7] rejected the contention that bills must be presented to the governor before final adjournment, but in view of the fact that the governor in that state has only three days after final adjournment within which he may sign bills, the court declared all bills enacted must be presented to the governor "*forthwith following adjournment*", without taking time for engrossment or enrollment.

The case does not require presentation to be made before final adjournment, and in view of the fact that in California the Governor has 30 days in which to act rather than the three days allowed in Connecticut, and in view of the fact that the enrolling and engrossing process lightens the Governor's task by securing for him a bill, in easily readable form, it would appear that the requirement of presentation forthwith would be relaxed in this State if our courts agreed with the Connecticut court that presentation could be made after final adjournment.

The Maryland [8] Court of Appeals has held that bills passed by the legislature during a session may be presented to the governor after final adjournment. (*Lankford* vs. *County Commissioners* 20 Atl. 1017; *Johnson* vs. *Leurs,* 99 Atl. 710; *Roby* vs. *Broersma* 26 Atl. 2d 820, 29 Atl. 2d 827).

Illinois and Vermont whose legislative sessions are not limited are in accord with the above cases. (*People* vs. *Rose* (Ill.) 47 NE 657; *People* vs. *Hughes* (Ill.) 25 NE 2d 75; *Hartness* vs. *Black* (Vt.) 114 Atl. 44).

The only contrary case which we have found is *In re Opinion of the Justices* 81 Atl. 170, in which the Supreme Court of New Hampshire in an advisory opinion the justices stated that "the constitutional question whether the legislature could authorize the presentation of bills to the governor after its adjournment does not arise" but indicated that under existing statutory provisions relating to enrolling, engrossing and related matters it was "implied that the presentation authorized is to be made before adjournment."

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[5] For similar California provisions see Gov C. Sec 9220; Rule No. 13, Standing Rules of the Senate.
[6] Regular sessions of the Florida Legislature are limited to 60 days.
[7] Connecticut's regular session is limited to 150 days
[8] Maryland's regular legislative sessions are limited to 90 days.

The case is worthy of note since it appears that the statutes involved were similar to Sections 9500 to 9516 of the Government Code, and the case points up a possibility that those sections could be restrictively construed by the California courts. However, Section 9220 of the Government Code places on the Speaker of the Assembly the duty, *after final adjournment*, of delivering bills to the governor, and Section 9126 makes the Senate Committee on Rules (which has charge of engrossing and enrolling bills under Senate Standing Rule No. 13) an agency of continuing existence. Since these statutes were enacted at a later date than Sections 9500 to 9516 and since they indicate a legislative intent to permit action after adjournment, it would appear unlikely that the California court would make the restrictive implication that the New Hampshire court did.

As we have already mentioned, the question as to whether a bill which has been duly passed by both houses of the Legislature during a session, but is presented to the Governor after adjournment sine die and signed by him would be invalid is a question of first impression in this State. Because of this fact, and because of the fact that the language of the constitutions of the various states is not the same, we are unable to guarantee that the California courts would follow the weight of authority in other jurisdictions which is set forth above. We believe, however, the California courts would respect the problems of the Legislature growing out of the closing rush of legislative business and would probably follow the line of authority indicated above and would sustain the validity of any bill presented to the Governor after final adjournment which he signs within the 30-day period.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 170

Mr. Waters asked for unanimous consent to take up House Resolution No. 170, out of order.

Mr. Dickey withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 926—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 926?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 5, 1951, strike out ", Division of Fish and Game,".

Amendment No. 2

On page 1, line 5, of said bill, as amended, strike out "solely".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended in the Senate on May 9, 1951, strike out "commission", and insert "department".

Amendment No. 4

On page 1, line 13, of said bill, as amended, after "the", insert "Department of".

Amendment No. 5

On page 1, lines 13 and 14, of said bill, as amended, strike out "com- mission".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 926 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Assembly Bill No. 926 ordered enrolled.

MOTION THAT REPORT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99 BE PLACED UPON INACTIVE FILE

Mr. McCollister moved that the report of the Second Committee on Conference concerning Assembly Bill No. 99, now pending on the unfinished business file, be placed upon the inactive file.

Mr. Dolwig seconded the motion.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1242—*An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.*

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1242?

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 to 19, inclusive, and insert

"The right of cumulative voting for directors extends to the members or shareholders of any mutual water company organized or existing for the purpose of delivering water to its shareholders or members at cost on lands located within the boundaries of one or more reclamation districts now or hereafter legally existing in this State and created by or formed under the provisions of any statute of this State, but does not otherwise extend to the members or shareholders of mutual water companies unless their articles or by-laws so provide.

The right of cumulative voting for directors does not extend to members of nonstock corporations or to members or shareholders in cooperative corporations unless their articles or by-laws so provide."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1242 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Geddes and Silliman—2.

Assembly Bill No. 1242 ordered enrolled.

Assembly Bill No. 1836—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1836?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on April 12, 1951, between lines 25 and 26, insert "The nationality of each of the heirs of the decedent. The street address of each of the heirs of the decedent."

Amendment No. 2

On page 5, line 35, of said bill, as amended, strike out the semicolon; and strike out lines 36 to 39, inclusive, and in line 40, strike out "tions".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1836 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Assembly Bill No. 1836 ordered enrolled.

Assembly Bill No. 2001—An act to amend Section 22280 of, and add Section 2281.1 to, the Water Code, relating to charges in irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2001?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 20, 1951, strike out "portion", and insert "proportion".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2001 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None

Assembly Bill No. 2001 ordered enrolled.

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2047?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out ", whether by accident, mistake, or otherwise".

Amendment No. 2

On page 1, line 6, of said bill, strike out "forthwith".

Amendment No. 3

On page 1, line 8, of said bill, after the period, insert "The proceeding for revocation shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code and the commission shall have all the powers granted therein."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2047 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2047 ordered enrolled.

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3341?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "election board", and insert "board of supervisors".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3341 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 3341 ordered enrolled.

Assembly Bill No. 3364—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3364?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 16, 1951, between lines 6 and 7, insert

"Every licensed establishment engaged in the training of a junior operator shall meet all requirements incumbent upon a cosmetology school engaged in the training of a student of cosmetology, electrology, and special manicurist."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 3364 by the following vote:

AYES—Berry, Brady, Burkhalter, George D. Collins, Cooke, Davis, Dills, Dunn, Elliott, Gaffney, Geddes, Henderson, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, and Parker—19.

NOES—Beck, Belotti, Burke, Chapel, Cloyed, Collier, Conrad, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Moss, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—37.

Appointment of Committee on Conference Concerning Assembly Bill No. 3364

The Speaker announced the appointment of Messrs. Gaffney, Conrad, and Doyle as a Committee on Conference concerning Assembly Bill No. 3364.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 178

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 178, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 178

By Mr. Dickey:

House Resolution No. 178

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of nineteen hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding nineteen hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—72.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2367

Mr. Smith asked for, and was granted, unanimous consent to take up Assembly Bill No. 2367, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2367

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "said code", and insert "the Penal Code".

Amendment No. 2

On page 3, line 28, of said bill, strike out "punishable", and insert "punished".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1684

Mr. Grunsky asked for, and was granted, unanimous consent to take up Assembly Bill No. 1684, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1684

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "Government", and insert "Business and Professions Code"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1418, on request of Mr. Smith.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 18

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No 18, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 18

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of, and to add Section 34311.5 to the Government Code, relating to the incorporation and boundaries of cities.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on June 1, 1951, after "code", insert "is".

Amendment No. 2

On page 2, line 11, of said bill, strike out "One", and insert "On".

Amendments read, ~~and adopted.~~

~~Bill ordered reprinted, and re-engrossed.~~

On this day, the Assembly rescinded the action whereby the above amendments to Assembly Bill No. 18 were adopted. (See page 5440.)

NOTICE OF MOTION BY SPEAKER SAM L. COLLINS TO AMEND STANDING RULES OF THE ASSEMBLY

Notice is hereby given that on the next legislative day, to wit June 12, 1951, I will make a motion with respect to Rule No. 55 of the Standing Rules of the Assembly as follows:

I hereby move that Rule No. 55 of the Standing Rules of the Assembly be repealed.

SPEAKER SAM L. COLLINS

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 91: By Messrs. Coats and Fleury—Relative to establishing roadside rests and parks in conjunction with the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Constitutional Amendment No. 65: By Mr. Coats—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XX thereof a new section to be numbered 3.2, relating to campaign statements of receipts and expenditures by candidates for elective office.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 92: By Messrs Levering, Lincoln, Morris, Collier, Klocksiem, and Mrs. Niehouse—Relative to Communist activity in California's educational system.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 407
Assembly Bill No. 1991
Assembly Bill No. 2121
Assembly Bill No. 3439

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2924

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 90

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 43: By Messrs. Maloney, George D. Collins, Gaffney, Berry, Brady, Connolly, McCarthy, and Meyers—Relative to the construction of St. Mary's Square Underground Garage in San Francisco.

Referred to Committee on Rules.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, that a luncheon meeting and Democratic Caucus will be held today, upon recess, at the Hotel Sacramento.

Mr. Dickey announced, on behalf of Mr. McCollister, that all Members of the Assembly are invited to a luncheon today, upon recess, in the Lounge Room of the Hotel Senator, being given in honor of Erle Cocke, Jr., National Commander of the American Legion.

PETITIONS

By Speaker Sam L. Collins:

A petition from Bertha Baker, of San Francisco, relative to impeachment was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 90

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

RECESS

At 12.04 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Pro Tempore Presiding

At 2.01 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Hon. Richard H. McCollister Presiding

At 2.02 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO AMEND THE STANDING RULES

Pursuant to a notice of motion given on a previous day, Mr. Sam L. Collins moved to amend the Standing Rules, and that Rule No. 9 shall be added to the Standing Rules, and will read as follows:

Rule 9

The Speaker pro Tempore of the Assembly shall act for the Speaker as Chairman of the Committee on Rules whenever the Speaker is unable, because of absence or otherwise, to perform in that capacity, or whenever the Speaker may request or assign the Speaker pro Tempore to do so.

Request for Unanimous Consent That Motion by Mr. Sam L. Collins Be Passed on File

Mr. Maloney asked for, and was granted, unanimous consent that the above motion by Mr. Sam L. Collins be passed on file, at this time.

Request for Unanimous Consent That Motion Be Stricken From File

Mr. Sam L. Collins asked for, and was granted, unanimous consent that his motion to amend the Standing Rules by adding Rule No. 9 be stricken from file.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 36, of the printed bill, as amended in the Assembly on June 8, 1951, after the period, insert "Each of such regular official reporters shall devote his entire time during office hours to the duties of his office and is prohibited from engaging in private work during office hours. All fees, commissions, or compensation, other than his official salary and fees authorized by law for his official duties, received by him from any source for work during office hours, shall be paid into the county treasury and deposited in the general fund thereof."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, George D Collins, Condon, Conrad, Cooke, Davis, Dills, Dunn, Grant, Gubser, Hagen, Hahn, Henderson, Kirkwood, Klocksiem, Levering, Lapscomb, Luckel, McMillan, Moss, Munnell, Parker, Rumford, Shaw, Smith, and Tomlinson—33.

NOES—Babbage, Clarke, Dickey, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hollibaugh, Kelly, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Stanley, Thomas, and Waters—22.

Bill ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 2 18 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Breed, Roy Cunningham and Hatfield as a Committee on Conference concerning .

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

J A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 18

Mr. Dunn asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted amendments to Assembly Bill No. 18.

Request for Unanimous Consent to Take Up Assembly Bill No. 18

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No. 18, for purpose of amendment.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 18

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of, and to add Section 34311.5 to the Government Code, relating to the incorporation and boundaries of cities.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on June 1, 1951, before the period, insert "and the notice of election".

Amendment No. 2

On page 2, line 11, of said bill, strike out "One", and insert "On".

Amendment No. 3

On page 2, line 13, of said bill, after "land", insert "which lies".

Amendment No. 4

On page 2, line 14, of said bill, strike out "superimposed and substantially coterminous".

Amendment No. 5

On page 2 of said bill, strike out all of lines 23 to 25, inclusive

Amendment No. 6

On page 2, line 27, of said bill, strike out "county", and insert "petitioners".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 3440 Hold Place on File

Mr Kirkwood asked for, and was granted, unanimous consent that Assembly Bill No. 3440 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 954—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McGee, McMillan, Meyers, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Waters—56.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 955—An act to amend Sections 84, 137, 137.5, 138, 139, 140, 141, 146, and 169 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—57.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1162—An act to amend Sections 1203 and 1203.10 of the Penal Code, relating to probation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1483—An act providing for the constitution of the municipal court in a district embracing the Township of Oceanside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1486—An act providing for the constitution of the municipal court in a district embracing the City of Chula Vista and all of National Township, excluding the Cities of National City and Coronado, to be known and designated as South Bay Judicial District, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1487—An act providing for the constitution of the municipal court in a district embracing the Township of El Cajon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3446—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 382—An act to amend Section 1038 and to repeal Section 1039 of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 40—Relative to the application of the Sherman Anti-Trust Act and the Miller-Tydings Act as applied to State Fair Trade Laws.

Resolution read.

Demand for Previous Question

Messrs Geddes, Lincoln, Lanterman, Connolly, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 40.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Waters—56

NOES—Cloyed, George D Collins, and Levering—3.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans and Hollibaugh:

House Resolution No. 179—Relative to the illness of Mrs. Hattie W. Hahn.

Resolution read.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No 179, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 179 as Co-authors

Mr. Evans asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 179 as co-authors

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 179:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

Further Consideration of House Resolution No. 179

By Messrs. Evans, Hollibaugh, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters:

House Resolution No. 179

Relative to the illness of Mrs. Hattie W. Hahn

WHEREAS, The Members of the Legislature have learned with regret of the illness of Mrs. Hattie W. Hahn, the mother of Assemblyman Gordon R. Hahn; and

WHEREAS, All of the members sincerely hope she may have a speedy recovery; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Legislature hereby extend to Mrs Hattie W Hahn their best wishes for a complete and speedy recovery from her illness; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a copy of this resolution to Mrs Hattie W. Hahn, 5931 So Flower Street, Los Angeles, 3, and to City Councilman Hahn of Los Angeles.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 293

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 65 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Geddes asked for, and was granted, unanimous consent that Senate Bill No. 65 be withdrawn from the Committee on Ways and Means, and be re-referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.10 p.m., Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments in Room 319, at this time.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 212

Mr. Rosenthal asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 212, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 212?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, between lines 19 and 20, insert

"(c) One investigator, who shall receive a salary of four thousand seven hundred forty dollars ($4,740) per annum, and necessary expenses while engaged in the discharge of his duties."

Amendment No. 2

On page 1, line 20, of said bill, as amended, strike out "(c)", and insert "(d)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 212 by the following vote:

AYES—Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—George D. Collins—1.

Assembly Bill No. 212 ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 44: By Messrs. Lindsay, Fleury, and Moss—Relative to designating a stock pile of chromite in California.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2545—An act to amend Section 736.13 of the Agricultural Code, relating to wholesale and retail prices for fluid milk and fluid cream and products thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 132, on motion of Mr. Sherwin.

Assembly Bill No. 3183—An act to add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read third time.

Demand for Previous Question

Messrs. Levering, McGee, Lanterman, McCarthy, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3183.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Condon, Connolly, Conrad, Davis, Dunn, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kirkwood, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Rumford, Shaw, Sherwin, Smith, and Mr. Speaker—34.

NOES—Babbage, Beck, Burke, Burkhalter, Collier, George D Collins, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Geddes, Hahn, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Luckel, Lyon, McCollister, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Stanley, Stewart, Thomas, Tomlinson, and Waters—37.

Notice of Motion to Reconsider Assembly Bill No. 3183

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3183 was this day refused passage.

Motion to Temporarily Suspend the Rules

Mr. Collier moved that the Rules be temporarily suspended for the purpose of considering the notice of motion by Mr. Kirkwood to reconsider Assembly Bill No. 3183, at this time.

Mr. Luckel seconded the motion.

Motion Withdrawn

Mr. Luckel withdrew his second.

Mr. Collier withdrew his motion.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1109

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1109, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1109

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "Sections 28136 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 28153 of the Government Code is amended to read:".

Amendment No. 3

On page 2, line 40, of said bill, strike out "3", and insert "2".

Amendment No. 4

On page 2, line 47, of said bill, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1431

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1431, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1431

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 6, 1951, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Any person or persons claiming any interest in or to real property which is alleged to be claimed by the State of California and which is alleged to be

situated in the bed or former bed of Upper Lake, Middle Lake, or Lower Lake in Surprise Valley, Modoc County, is hereby authorized to bring a suit against the State of California in any court of competent jurisdiction of the State to quiet title to such property, and to prosecute".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Gaffney:

House Resolution No. 180

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State; and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced, and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Levering:

House Resolution No. 181

Relative to the creation of the Assembly Interim Committee on Industrial Relations

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder, would be referred to the Assembly Standing Committee on Industrial Relations, and any and all other matters relating to or affecting industrial relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Industrial Relations for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Stanley, Lincoln, and Hansen:

House Resolution No. 182

Requesting the Assembly Interim Committee on Finance and Insurance to study, investigate and report on all possible alternative methods of financing public works projects

WHEREAS, The unprecedented increase in population in California during the last decade and the demand for additional public works facilities have far exceeded the construction, improvement and extension of such public works; and

WHEREAS, As a result of the present Korean conflict there is additional immediate need for sewers, streets, roads, highways, schools, water, health, refuse disposal, airport and other public facilities and buildings; and

WHEREAS, All such construction, acquisition, improvement, replacement and extension cannot and should not be financed from current revenue or from general obligation bonds; and

WHEREAS, Several bills have been introduced during the current session of the Legislature to provide reasonable alternative methods of financing such public works projects; and

WHEREAS, At hearings on bills on the subject during the current session of the Legislature, it has been found that the investment features for proposed bonds were of primary importance to banks and savings and loan and other financial institutions; and

WHEREAS, The standing committees of the Legislature which have considered bills on public works projects have recommended that the subject matter thereof be studied by an interim committee; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Finance and Insurance, or any similar committee created at the 1951 Session of the Legislature, be, and it hereby is, requested to study and investigate all possible alternative methods of financing public works projects, including, but not limited to, those methods which have been developed by other states and public agencies, and including all other matters relating to or in any way bearing upon the recitals of this resolution; and be it further

Resolved, That the committee submit a report and its recommendations to this Assembly on the subject matter of this resolution at the Budget Session of 1952.

Resolution read, and ordered referred to the Committee on Rules.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 1879 FROM THE SENATE

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1879 for further consideration.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1541, on request of Mr. Connolly.

Assembly Bill No. 3096, on request of Mr. Hollibaugh.

Assembly Bill No. 2474, on request of Mr. Burkhalter.

ANNOUNCEMENT

Mr. Stanley announced a Republican breakfast and caucus tomorrow morning, Tuesday, June 12th, at 7.30 a.m., at Hart's restaurant.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND PROVISIONS OF HOUSE RESOLUTION NO. 79

Mr. Dunn asked for, and was granted, unanimous consent that the provisions of House Resolution No. 79 be temporarily suspended for the purpose of permitting the following bills to be set for hearing in the Committee on Education next Wednesday, at 8 p.m., in Room 432:

Child Care Center Bills Senate Bill No. 65 and Assembly Bill No. 2330, and Assembly Bills Nos. 2382 and 3193.

ANNOUNCEMENT

Mr. Sherwin announced that if any member has objections to any of the amendments being offered by the Senate to Assembly Bill No. 500, the Budget Bill, that he should immediately transmit his objections by memorandum to any one of the three conferees of the Committee on Conference so that due consideration may be given his objections prior to the release of the conference report.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 927, 1635, 3131, 3132, and 1507 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos. 2372, 1308, and 1802 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 2034, 3011, 3247, 3248, and 1060 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3174 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 671 re-referred to the Committee on Municipal and County Government.

Senate Bills Nos. 1809 and 1812 re-referred to the Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more;

Assembly Bill No. 1052—An act to amend Section 11616 of the Business and Professions Code, relating to the dedication of streets, and the abandonment of an offer of dedication of said streets;

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1358—An act to amend Section 8 1 of the Municipal Court Act of 1925, relating to municipal courts;

Assembly Bill No. 1752—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fireboat services and payment for services of firemen;

Assembly Bill No. 2003—An act to amend Sections 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2629—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130 1 and 130 2 to said code, relating to joint highway districts and the construction of state highways;

Assembly Bill No. 2648—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 72—An act to amend Sections 985.5, 986 3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans;

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets and declaring the urgency thereof, to take effect immediatley;

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations;

Assembly Bill No. 462—An act to amend Section 425 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-fifth class;

Assembly Bill No. 467—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 625—An act to add Section 101.5 to the Labor Code, relating to filing fees;

Assembly Bill No. 1051—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186.1, 1187.1, 1188.1, and 1189.1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194.1, and 1195.1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1, 1199.2, 1200, 1200.1, 1201.1, 1202.1, and 1203.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Section 3060 to the Civil Code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, and 1203 of the Code of Civil Procedure; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records;

Assembly Bill No. 1354—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1355—An act providing for the constitution of the municipal court in a municipal court district to be known as the San Leandro-Hayward Municipal Court District consisting of all of Eden Township, County of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1359—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1373—An act providing for the constitution of the municipal court in a district embracing the Cities of Alviso and San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1382—An act providing for the constitution of municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1492—An act to amend Section 1015.5 to the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto to take effect immediately;

Assembly Bill No. 1517—An act to amend Sections 13020, 13040, 13052, 13054, 13055, and 13064 of the Water Code, relating to the control of water pollution;

Assembly Bill No. 1562—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code," approved July 27, 1949, relating to judicial districts;

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads;

Assembly Bill No. 1892—An act to amend Sections 1593, 2561, 2802, and 2833 of, and to add Sections 2561.1, 2802.1, and 2833.1 to, the Education Code, relating to the formation of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail;

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots;

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure;

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 61—An act to amend Section 8201 of the Government Code, relating to notaries public;

Assembly Bill No. 206—An act to amend Section 420 of, and to add Section 429.6 to, the Fish and Game Code, relating to sporting fishing licenses;

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 2886
Assembly Bill No. 905

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Finance and Insurance, in Room 3186
Municipal and County Government, in Room 426.
Judiciary, in Room 2170.

Today Upon Adjournment—

Public Utilities and Corporations, in Room 432.
Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

INTERIM COMMITTEE REPORT ON WAYS AND MEANS

ASSEMBLY, CALIFORNIA LEGISLATURE
INTERIM COMMITTEE ON WAYS AND MEANS, June 7, 1951

To the Honorable Sam L. Collins, Speaker and to the Members of the Assembly

Your Interim Committee on Ways and Means presents this report of its work since the adjournment of the Sixtieth Session of the Legislature.

A meeting of the interim committee was held in Los Angeles, December 14 and 15, 1950, for the purpose of considering the financial factors involved in the pending initiative referendum and the probable cost of the proposed program for aid to the totally and permanently disabled. Preliminary figures were developed at this meeting which were of assistance to the members in their later consideration of these matters during the present session.

The Sixty-first Session of the Legislature convened on January 8, 1951. The Budget Bill, Assembly Bill No. 500, was introduced on January 11th. The committee decided to hold its budget hearings during the constitutional recess for the purpose of giving adequate consideration to the Budget Bill at a time when the subcommittee hearings would not conflict with other committee meetings during the regular session. The committee met for 16 days in January, February, and March, 1951.

Intensive work on the part of the Legislative Auditor and his staff enabled the committee to have the Analysis of the Budget Bill in printed form during these hearings. The committee had the undivided assistance of the staff of the Legislative Auditor and the Department of Finance, because the Senate Finance Committee did not commence its hearings until after the Legislature reconvened.

The committee found that the budget as presented showed more careful preparation than any budget it had considered in the past. Many items which had been criticized in the past by the Legislative Auditor and deleted by the Legislature had been eliminated from the budget by the various departments or by the Department of Finance. The committee was pleased to find that agreement had been reached by the Department of Finance and the Legislative Auditor on most requests for equipment as a result of physical inspection by representatives of those offices. The committee was thereby saved the necessity of making decisions on such questions with inadequate information.

During the 16 days of its deliberations the committee met daily and in the evenings as subcommittees, and occasionally as the entire committee. Two and three subcommittees met simultaneously, and in this way were enabled to consider the budgets of all departments during that period. A schedule of subcommittees is attached hereto as Exhibit "A". In addition special subcommittees were appointed for particular purposes as indicated on Exhibit "B".

The interim committee recommended that the state farm near Napa be sold. The report of the Legislative Auditor in the Analysis of the Budget Bill recommended this action. A bill to carry out this recommendation, Assembly Bill No. 3408, was introduced by Mr. Silliman.

The interim committee found that costs in adult education were increasing with unusual rapidity. It was reported that this was due in part to radio advertising and the popularity of courses which had a doubtful place in an educational program financed by the State. A subcommittee was appointed to study the question. It met with the Director of Education and members of his staff. The committee reported that action had been taken to withdraw State support from courses not educational in character and to eliminate certain practices which had caused unjustified State expenditures in this program. The committee reported that there was much room for improvement in the distribution of state aid for this program, but that a substantial survey would be required before a satisfactory result could be accomplished.

The committee found that much economy had been effected by restrictions in the previous budget concerning the use of state-owned automobiles. Assembly Bill No. 2005 was designed to incorporate in the statutes restrictions which would continue those economies without impairing the efficiency of employees requiring the use of automobiles. This bill was amended with care as the result of considerable effort by members of the subcommittee and the interim committee who studied this question.

The committee found that its decisions to hold budget hearings during the constitutional recess was largely justified. This procedure enabled the members of the committee upon the reconvening of the session to devote adequate time to bills before the standing committee and to their other committee assignments. The committee recognizes, however, that in the future even if this procedure is adopted it might be desirable to reserve its recommendation on many items of importance until information not available during the recess can be obtained.

The Legislature reconvened on March 12, 1951, and on March 12th the standing committee approved the amendments recommended by the interim committee and reported the Budget Bill to the Assembly with the recommendation "Do pass, as amended".

House Resolution No. 28, under which this interim committee was created, made $20,000 available for its use. Of this sum $10,456.65 has been expended to date.

This report is not intended and does not purport to be a statement of views of all the members of the committee, but to include a statement of certain actions made by a majority of those present which are not reflected in the budget amendments above referred.

Respectfully submitted.

MARVIN SHERWIN, Chairman

EXHIBIT "A"

Ways and Means Subcommittees—January, 1951

1. *Legislative Executive and General Administration—*
   Chairman—Silliman

Caldecott	Lowrey
Collier	Moss
Conrad	Munnell
Erwin	Tomlinson
Gaffney	Waters

2. *Fiscal Affairs, Capital Outlay, Miscellaneous—*
   Chairman—Erwin

Babbage	Kirkwood
Caldecott	Lipscomb
Clarke	Lowrey
Collier	McCarthy
Collins, George D.	Meyers
Fleury	Silliman
Hagen	

3. *Agriculture, Natural Resources—*
   Chairman—Clarke

Caldecott	Hinckley
Cloyed	Lowrey
Crowley	McCarthy
Erwin	Porter
Fleury	Silliman
Hagen	

4. *Motor Vehicles, Public Works, Highway Patrol, Highway Budget, Military Affairs—*
   Chairman—Butters—Fleury

Clarke	Moss
Cloyed	Munnell
Fleury	Porter
Gaffney	Silliman
Kilpatrick	Tomlinson
Klocksiem	

5. *Mental Hygiene, Veterans Affairs—*
Chairman—Hinckley

Babbage
Butters
Clarke
Cloyed
Conrad
Crowley
Gaffney
Kirkwood
Klocksiem
Meyers
McCarthy
Porter

6. *Corrections, Youth Authority—*
Chairman—Collier

Butters
Collins, George D.
Conrad
Hagen
Hinckley
Kilpatrick
Klocksiem
Lipscomb
McCarthy
Meyers
Munnell
Waters

7. *Education—*
Chairman—Lowrey

Babbage
Caldecott
Collins, George D.
Crowley
Hinckley
Kirkwood
Klocksiem
Lipscomb
Moss
Porter
Silliman

8. *Judicial, Justice, Investments, Professional and Vocational Standards, Public Utilities—*
Chairman—Collins, George D.

Babbage
Cloyed
Collier
Gaffney
Hinckley
Kilpatrick
Lipscomb
Meyers
Munnell
Tomlinson
Waters

9. *Public Health, Industrial Relations, Social Welfare, Employment—*
Chairman—Kirkwood

Butters
Conrad
Crowley
Erwin
Fleury
Hagen
Kilpatrick
Moss
Porter
Tomlinson
Waters

EXHIBIT "B"

June 7, 1951

Special Subcommittees—to Examine Particular Phases of the Budget

Adult Education

Robert Kirkwood—*Chairman*
L. Stewart Hinckley
Lloyd Lowrey

Claims

Thomas Caldecott—*Chairman*
Gordon Fleury
Glenard Lipscomb
Robert McCarthy
William Munnell

Soil Conservation

Harlan Hagen—*Chairman*
Herbert Klocksiem
John Moss, Jr.
Laughlin Waters

State Automobiles Control

Lloyd Lowrey—*Chairman*
Gordon Fleury
Stanley Tomlinson

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Erle Cocke, Jr., National Commander of the American Legion; John Sheffield, Commander's Aide; Col. Nelson M. Holderman; Stanley F. Dunmire, Department Commander; T. J. DeLasaux, 5th District Commander; Gordon A. Lyons, Department Adjutant; and Lynn G. Peterson, State Chairman, Legislation for the American Legion.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Arthur ODell, Kathleen ODell, and Sallie ODell, of Los Angeles.

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Nicholas Oddo of Long Beach.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Jacqueline Dunn of San Francisco.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. John H. Brimberry of San Jose.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Grubbs and W. G. Heckala of Stockton.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wm. Kirkland of Huntington Park.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Dave Strathearn of Ventura.

On request of Messrs. Cooke and Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Virginia Klassen of San Carlos, and Paul Strauss, Conductor, Ballet Russe, of New York.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman and Mrs. Don Allen of Los Angeles.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Robert S. Phillips and Miss Jean Phillips of Berkeley.

On request of the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Glendon Tremaine and Charles Beardsley of Los Angeles.

ADJOURNMENT

At 4.10 p.m., on motion of Mr. Geddes, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Tuesday, June 12, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-NINTH LEGISLATIVE DAY

ONE HUNDRED NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 12, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Leveringh, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, We Thank Thee For the heritage which we possess, for a land of liberty and justice for all. Grant Thy guidance as we labor to protect and continue the ideals which have brought us as a Nation to this holy destiny. As we perform our duties may we have charity in our hearts and love in our souls so that the laws enacted here may be for the benefit of all the people of the State and reflect Thy glory.

Be with the Member of this Assembly who has been called to walk in the Valley of Shadows in the loss of his mother:

"For Thee our fathers suffered,
For Thee they toiled and prayed,
Upon Thy holy altar
Their willing lives were laid.
Thou hast no common birthright,
Grand memories on Thee shine;
The blood of pilgrim nations
Commingled flows in Thine."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dickey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his mother:

Mr. Hahn, on motion of Mr. McMillan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Conrad, on motion of Mr. Waters.
Mr. Waters, by unanimous consent.
Mr. George D. Collins, by unanimous consent.
Mr. Sherwin, on motion of Mr. Hinckley.
Mr. Moss, on motion of Mr. Hinckley.
Mr. Hinckley, by unanimous consent.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

DATE: June 11, 1951

TO: *Honorable Arthur A. Ohnimus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

FROM: *State Board of Equalization*
Dixwell L. Pierce, Secretary

SUBJECT: REPORT ON PROPERTY TAX ASSESSMENT UNDER SECTION 3693 OF THE POLITICAL CODE FOR SONOMA COUNTY

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly a copy of a survey which has been completed under that section with respect to property tax administration in Sonoma County.

Similar reports have been submitted to the Legislature heretofore with respect to the Counties of Riverside, Imperial, Marin, Siskiyou, Solano, Alameda, Alpine, Amador, Calaveras, Inyo, Mariposa, Mono, Placer, Santa Cruz, Santa Barbara, Lassen, Contra Costa, Plumas, Monterey, San Benito, Kings and Merced.

DIXWELL L. PIERCE

Above transmitted copy of survey ordered referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 38	Senate Bill No. 1468
Senate Bill No. 39	Senate Bill No. 1700
Senate Bill No. 516	Senate Bill No. 1823
Senate Bill No. 885	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 671
Senate Bill No. 1225
Senate Bill No. 1752

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 677
Senate Bill No. 1117

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3291

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 110

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 842

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 857
Senate Bill No. 1469
Senate Bill No. 1746

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Senate Bill No. 749
Senate Bill No 990

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1071

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 621
Assembly Bill No 3450
Assembly Bill No. 3451

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 622
Assembly Bill No. 1379
Assembly Bill No. 1412
Assembly Bill No. 1422
Assembly Bill No. 2107
Assembly Bill No. 2109
Assembly Bill No. 2362

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 940
Assembly Bill No. 966
Assembly Bill No. 1258
Assembly Bill No. 1405
Assembly Bill No. 1631
Assembly Bill No. 1900
Assembly Bill No. 3076
Assembly Bill No. 3300
Assembly Bill No 3445

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Legislative Representation

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Representation, to which was referred:

Assembly Bill No. 3088

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DOLWIG, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 37

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 37—Relative to maintaining a minimum lake level behind the Isabella Dam.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 40
Senate Bill No. 42
Senate Bill No. 43
Senate Bill No 77
Senate Bill No. 154
Senate Bill No. 317
Senate Bill No. 328
Senate Bill No. 399
Senate Bill No. 418
Senate Bill No. 170
Senate Bill No 460
Senate Bill No. 501
Senate Bill No. 594
Senate Bill No 619
Senate Bill No. 710
Senate Bill No. 874
Senate Bill No. 931
Senate Bill No. 932
Senate Bill No. 1133
Senate Bill No. 1156
Senate Bill No. 1288
Senate Bill No. 1423
Senate Bill No. 1493
Senate Bill No. 1537
Senate Bill No. 1609
Senate Bill No. 1625
Senate Bill No. 1760
Senate Bill No. 1825
Senate Bill No. 1828
Senate Bill No. 1831

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 40—An act to amend Sections 737e, 737v, 737ccc of the Political Code and Sections 79 5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 42—An act to add Article 7 to Chapter 2, Part 6, Division 12 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 43—An act to add Section 31022.5 to the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 77—An act to amend Section 11622 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 154—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Referred to Committee on Judiciary.

Senate Bill No. 317—An act to add Sections 12105.1 and 12105.2 to the Education Code, relating to applicants for certification documents authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 328—An act to amend Section 737hh of the Political Code, and Section 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 418—An act to amend Section 737mm of the Political Code, and Section 79.39 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 170—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens.

Referred to Committee on Fish and Game.

Senate Bill No. 501—An act to amend Section 407 of the Education Code, relating to county school superintendents' salaries in counties of the seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 594—An act to amend Section 737w of the Political Code and Section 79.23 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 619—An act to amend Section 737qq of the Political Code, relating to superior judges' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 710—An act to amend Sections 737oo of the Political Code and 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 874—An act to add Section 1556.1 to and to amend Section 1557 of, the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 931—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Agriculture.

Senate Bill No. 932—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 1133—An act to amend Section 50128 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Senate Bill No. 1156—An act to amend Sections 737ee of the Political Code and 79.31 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1288—An act providing for the constitution of the municipal court in the district known and designated as the Central Judicial District of Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1423—An act to amend Sections 9906 and 9909 of the Government Code, relating to regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1493—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1537—An act to amend Section 737u of the Political Code, and Section 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1609—An act to amend Section 111 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Referred to Committee on Public Health.

Senate Bill No. 1760—An act creating the "Solano County Flood Control and Water Conservation District" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use, and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities, reclamation, irrigation and other certain districts and political subdivisions for the storage and diversion, the transportation and delivery, and the selling or other disposition of such water, and the obtaining of water or water supply and the sale or other distribution of water; to provide for the powers of such district necessary to carry out its purposes including among other powers the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits and other works for the control, conservation, diversion, transportation and distribution of such water, the right to make contributions in aid of construction and acquisition of such works and aid in obtaining water and a water supply, the right to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establish the boundaries thereof, and to provide for certain powers, rights and liability of member units located within or partially within said district, and to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Solano shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying of special assessments; the levying and collection of taxes; to provide that the existence, property and powers of municipalities or public districts and subdivisions located within or partially within said district shall not be affected by this act; and to empower municipalities, water conservation districts, reclamation districts, irrigation districts, flood control districts and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users to enter into contracts with the district and to carry out the terms of said contracts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1825—An act to amend Sections 737yy and 737fff of the Political Code and Sections 79 51 and 79.58 of the Code of Civil Procedure, relating to salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 1828—An act to amend Sections 11512.2 and 11512.3 of, and to add Section 11512 25 to the Insurance Code, relating to nonprofit hospital service plans.

Referred to Committee on Public Health.

Senate Bill No. 1831—An act to amend Sections 2.2 and 14 of the Orange County Flood Control Act, relating to the purchase and resale of water and authorizing the levy and collection of additional taxes for such purposes.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 88

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 88—Relative to the Joint Rules of the Senate and Assembly.

Resolution ordered temporarily held at desk.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2591—An act to add Sections 7432 and 7433 to the Business and Professions Code, relating to regulation of the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 7432 and 7433", and insert "amend Section 7372 of and to add Section 7326".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 7326 is added to the Business and Professions Code to read:

7326. Nothing in this chapter shall authorize the use of wall plates and therapeutic lights in any cosmetological establishment, school of cosmetology, hair dressing

shop, beauty parlor or any other place of business in which any one or any combination of the occupations of a hairdresser and cosmetician or cosmetologist are taught or practiced, nor shall the use of wall plates and therapeutic lights be taught in any school of cosmetology.

No person engaged in the practice of cosmetology or any of its branches shall use wall plates and therapeutic lights.

SEC. 2. Section 7372 of the Business and Professions Code is amended to read:

7372. Examinations for certificates of registration and license as hairdressers and cosmeticians or cosmetologists shall include practical demonstrations in shampooing the hair, haircutting, hairdressing, permanent waving, wet hairdressing, water waving, hair coloring, manicuring and facial and scalp message with the hands. They shall also include written and oral tests in antisepsis, sterilization, sanitation and the use of [such simple electricity as necessary pertaining to the use of permanent waving machines and hair dryers as applicable to the practice of the occupation of a hairdresser and cosmetician or cosmetologist.] *mechanical apparatus and electricity (with the exception of the wall plate and therapeutic lights) as applicable to the practice of the occupation of a hairdresser and cosmetician or cosmetologist.*

The scope of examinations in any other branch of cosmetology shall be such as the board, in its discretion, may require."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 293—An act to add Sections 36 and 37 to the Agricultural Code, relating to the establishment of a state laboratory for the diagnosis of disease in livestock and poultry, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 15 and 16, of the printed bill, as amended in the Assembly on May 24, 1951, strike out "of the School of Veterinary Science either at Berkeley or Davis, California", and insert "now or hereafter operated elsewhere by the Department of Agriculture for similar purposes".

Amendment No. 2

On page 1, lines 21 and 22, of said bill, strike out "of _____ dollars ($_____)", and insert "of two hundred fifty thousand dollars ($250,000)".

Amendment No. 3

On page 1, line 23, of said bill, strike out "purchasing site for, construction of." and insert "constructing,".

Amendment No. 4

On page 1, of said bill, after line 25, insert

"The appropriation made by this act shall not be available for expenditure unless and until land providing a site for such laboratory which is approved by the Department of Agriculture is available for use without cost to the State."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Mr. Chapel:

House Resolution No. 183

Relative to the creation of the Assembly Interim Committee on Educational Practices and Textbooks

WHEREAS, It is ever essential that the Legislature exercise eternal vigilance to protect and preserve our cherished principles of freedom and democracy; and

WHEREAS, It is vital that our System of Public Education be safeguarded and protected against attempts by those persons and groups, who would undermine and destroy the American way of life, to utilize our educational institutions as a means of achieving their vicious purposes, and who seek to corrupt and pervert the ideals of our students by the subtle insertion of propaganda in school textbooks, mocking and condemning our national ideals and standards and praising and advocating the economic and political ideologies of alien powers; and

WHEREAS, In this connection, we call attention to the textbook, *"Our American Neighbors,"* used in the public schools of this State, in which the authors, with the apparent approval of the State Curriculum Commission, at pages 208 and 209 voice their praise for State Socialism, hold it up for admiration, and by implication denounce the America form of government and our economic practices; and

WHEREAS, State legislation to combat this problem can best be based on a thorough and impartial fact-finding study, in order that the Members of the Legislature may be fully informed thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Educational Practices and Textbooks is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the State Department of Education, the Superintendent of Public Instruction, the State Curriculum Commission, and all matters pertaining in any way to textbooks, curricula, and educational programs and practices at all levels in the public schools and colleges in this State, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 93: By Mr. Chapel—Relating to observance of Flag Day.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3076 BE RE-REFERRED TO COMMITTEE

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Bill No. 3076 be withdrawn from the third reading file, and be re-referred to the Committee on Boards and Commissions.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1529?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on May 17, 1951, after "hospital", strike out the comma.

Amendment No. 2

On page 2, line 2 of said bill, as amended, strike out "regularly licensed hospital, sanitarium,".

Amendment No. 3

On page 2, line 3, of said bill, as amended, after "hospital", strike out the comma.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1529 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1529 ordered enrolled.

Hon. Richard J. Dolwig Presiding

At 10.20 a.m.; Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 50?

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 12, 1951, after "only.", insert "The amendments to this section shall become effective with the issuance of licenses for the 1952 fishing season."

Amendment No. 2

On page 2 of said bill, as amended, after line 8, insert

"SEC 3. The provisions of subsection (e) of Section 428 shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no force or effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 50 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Stewart—61.

NOES—None.

Assembly Bill No. 50 ordered enrolled.

Assembly Bill No. 1001—An act to amend Section 25 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1001?

Amendment No. 1

On page 1 of the printed bill, as amended on April 25, 1951, strike out lines 8 and 9; and on line 10, strike out "each month, by the clerk of each court.", and insert compensation of such judges, clerks and other officers and attaches of each court, except marshals or constables thereof, shall be certified to the county auditor each month by the clerk of such court, if there is a clerk, otherwise by the judge of such court. A list showing the amount of compensation of the marshals of each municipal court, or the constables in each judicial district shall be certified to the county auditor each month by the marshal of such municipal court, or the constable of such judicial district."

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "Section 25", and insert "Sections 25 and 36".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of sail bill, after line 8, insert

"SEC. 2. Section 36 of said act is amended to read:

Sec. 36. The board of supervisors shall regulate the compensation of the judges and constables of justice courts, and prescribe the number, qualifications and compensation of such clerks, deputies and other attaches of justice courts as public convenience may require; provided, however, that in any county governed by a freeholder's charter, all such matters shall be regulated in the manner, if any, set forth in the charter with respect to township officers and employees [; and provided, further, that the salaries of judges of justice courts, however fixed, shall not be less than that specified in a schedule of minimum salaries to be prescribed by the Legislature].

In addition to their salaries, judges and clerks of justice courts shall be allowed their necessary traveling expenses at the rate fixed by the board of supervisors when the business of the court shall require their attendance at any session thereof held at a greater distance than 12 miles from the principal office or place designated for holding regular sessions of the court, and the board of supervisors may allow the judges, officers and attaches of justice courts other expenses incurred in the actual performance of their duties."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1001 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Tomlinson—59.
NOES—None.

Assembly Bill No. 1001 ordered enrolled.

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Section 352 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspection, and meat thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1999?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "or any part of the carcass".

Amendment No. 2

On page 2, line 32, of said bill, as amended, strike out "or gives away".

Amendment No. 3

On page 2, line 33, of said bill, as amended, strike out "or donee".

Amendment No. 4

On page 2, line 34, of said bill, as amended, strike out "or donee".

Amendment No. 5

On page 2, line 35, of said bill, as amended, strike out "or donor and buyer or"; and strike out lines 36 and 37, and insert "and buyer, the date of the sale and the quantity sold. The buyer shall retain said tag or memorandum for 30".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1999 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, and Stanley—56
NOES—None.

Assembly Bill No. 1999 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1080

Mr. Caldecott asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1080, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10.5, and 12.5 to Chapter 3, Part

3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1080?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 30, 1951, strike out "8 5", and insert "8.3".

Amendment No. 2

On page 2, line 11, of said bill, as amended, strike out "8.5", and insert "8.3".

Amendment No. 3

On page 3, line 18, of said bill, as amended, strike out "8.5", and insert "8.3".

Amendment No. 4

On page 3, line 21, of said bill, as amended, strike out "8.5", and insert "8.3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1080 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1080 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3357—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3357?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "Section 204e of", and insert "Sections 204e and 261e of, and to add Section 263 to,".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, as amended, and insert "relating to superior court employees in counties, or cities and counties."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, after line 5, insert

"SEC. 2. Section 261e of the Code of Civil Procedure is amended to read:

261e In each county, or city and county, having a population of more than [six hundred] *seven hundred fifty* thousand and less than nine hundred thousand inhabitants, the judges of the superior court in and for such county, or city and county, a majority thereof concurring therein, to assist the court in the transaction of the judicial business of said court, may appoint the following employees:

(1) Grand jury statistician, at a salary of [five thousand five hundred twenty dollars ($5,520)] *six thousand dollars ($6,000)* per annum;

(2) Five senior legal stenographers, each at a salary of [three thousand nine hundred sixty dollars ($3,960)] *four thousand two hundred dollars ($4,200)* per annum;

(3) One senior clerk at a salary of three thousand [seven hundred twenty dollars ($3,720)] *nine hundred dollars ($3,900)* per annum;

(4) [Three] *Two* secretary-telephone operators, each at a salary of [two thousand eight hundred eighty dollars ($2,880)] *three thousand three hundred dollars ($3,300)* per annum;

(5) One probate court commissioner at a salary of six thousand dollars ($6,000) per annum;

(6) One head clerk at a salary of four thousand [four hundred forty dollars ($4,440)] *eight hundred dollars ($4,800)* per annum;

(7) Two domestic relations cases investigators each at a salary of four thousand two hundred ($4,200) per annum;

(8) One law clerk at a salary of four thousand eight hundred dollars ($4,800) per annum;

(9) One general clerk at a salary of three thousand three hundred ($3,300) per annum;

All of the employees provided in this section shall be allowed actual traveling and necessary expenses incurred while engaged in the duties of their office.

The salaries in this section provided for shall be paid in monthly installments out of the salary fund of the county, or city and county, or, if there be no salary fund, then out of such fund as other salary demands against such county, or city and county, are paid.

The expenses in this section provided for shall be paid in monthly installments out of the General Fund, and both salaries and expenses shall be allowed and audited in the same manner as other demands against the county, or city and county, are required by law to be allowed and audited.

SEC. 3. Section 263 is added to the Code of Civil Procedure, to read:

263. In any county, or city and county, which is authorized by law to have domestic relations cases investigators, it shall be the duty of such domestic relations cases investigators, in any divorce action then pending wherein the parties thereto have minor children, to investigate and to report to the judge of the court wherein such action is to be tried all pertinent information as to the care, welfare and custody of the minor children of the parties to the divorce action.

Such report shall be filed not less than 10 days before the date set for the trial of the divorce action with the clerk of the court wherein such action is to be tried, and not less than 10 days before the trial of such action a copy of the report shall be served on each party to the divorce action.

The report of the investigators shall be admitted in evidence upon the stipulation of both parties, and shall be competent evidence as to all matters contained therein.

Such investigator or investigators who have investigated the care, welfare and custody of the minor children as provided for in this section, shall be present at the trial of the divorce action of the parties who are the parents or custodians of such minor children, and may be called to testify by the judge or either party as to any matter which they have investigated. The testimony of such investigators shall be subject to questions direct and cross which are proper, and shall be competent as evidence.

Nothing in this section shall be construed as limiting a domestic relations cases investigator's duty to assist the superior court appointing him in the transaction of the judicial business of said court."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3357 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—58.

NOES—None.

Assembly Bill No. 3357 ordered enrolled.

Speaker Presiding

At 10.28 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2128 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Belotti, Chapel, Condon, Davis, Dills, Elliott, Gubser, Henderson, Kilpatrick, Kirkwood, Luckel, McCarthy, Parker, and Silliman—14

NOES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grunsky, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Tomlinson, and Mr. Speaker—44.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2009

Mr. Dolwig asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2009, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2009?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 30, 1951, strike out "insurance", and insert "issuance".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2009 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2009 ordered enrolled.

Hon. Richard J. Dolwig Presiding

At 10.34 a.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

RECONSIDERATION OF ASSEMBLY BILL NO. 3183

In compliance with a notice given on a previous day, Mr. Kirkwood moved that the vote whereby Assembly Bill No. 3183 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 3183 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay,

Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—Parker—1.

Request for Unanimous Consent to Take Up Assembly Bill No. 3183

Mr. Kirkwood asked for, and was granted unanimous consent to take up Assembly Bill No. 3183, for purpose of amendment.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3183

Assembly Bill No. 3183—An act to add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 4, 1951, strike out "Sections 4017 and", and insert "Section".

Amendment No. 2

In line 2 of the title of said bill, after "26470.5 to", strike out the comma.

Amendment No. 3

On page 2 of said bill, strike out lines 4 to 25, inclusive, and insert "SECTION 1. Section 26470.5 is added to the Health and Safety Code to read:".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO REPEAL RULE NO. 55 OF STANDING RULES CONTINUED

By unanimous consent the notice of motion, by Mr. Sam L. Collins, to repeal Rule No. 55 of the Standing Rules of the Assembly was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10.40 a.m., Mr. McMillan asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Boards and Commissions in Room 3126, at this time.

Subject: Assembly Bills Nos. 3426, 3076, and 3448; and Senate Bills Nos. 1545, 1544, 1632, 1672, and 1639.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 464

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 464, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 464?

Amendment No. 1

On page 1, line 10, of the printed bill, after "will", insert "or participated in the preparation of a will".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 464 by the following vote:

AYES—Belotti, Brown, Chapel, Davis, Evans, Hansen, Klocksiem, Niehouse, and Shaw—9

NOES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Crowley, Dills, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Gubser, Henderson, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McFall, McGee, Meyers, Morris, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Thomas—40

Appointment of Committee on Conference Concerning Assembly Bill No. 464

The Speaker announced the appointment of Messrs. Brown, Caldecott, and Grunsky as a Committee on Conference concerning Assembly Bill No. 464.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 848

Mr. Cloyed asked for, and was granted, unanimous consent to take up Senate Bill No. 848, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 848

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Senate on May 2, 1951, after "ferry", insert ", and all its assets, liabilities, and obligations, including any and all its liabilities and obligations to its employees".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 850

Mr. Cloyed asked for, and was granted, unanimous consent to take up Senate Bill No. 850, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 850

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits,

bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Senate on May 2, 1951, after "ferry", insert ", and all its assets, liabilities, and obligations, including any and all its liabilities and obligations to its employees".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 3440, on request of Mr. Kirkwood.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on June 7, 1951, after "waters", insert ", and making an appropriation".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2043—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Section 13 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, relieving the Fish and Game Commission of the administration of the Division of Fish and Game, Department of Natural Resources.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, and Thomas—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 295—An act to add Section 626.5 to, and to amend Section 685 of, the Agricultural Code, relating to milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Cooke, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1806—An act to amend Sections 1101, 1102.2, 1102.3, and 1107 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Crowley, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Assembly on June 7, 1951, and insert "standards and labeling for milk and milk products containing other foods".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 16, inclusive, and insert

"674.5. In addition to the standards for milk and milk products adopted in accordance with or pursuant to this division, the director is hereby authorized, after hearing, to adopt separate standards and labeling requirements for any product consisting of milk or milk products containing an added food product of a kind not derived from milk and for which combination of such food product with milk or milk products no standard has been established or otherwise provided for in this division."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Presiding

At 10.51 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 2195—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to hog farms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, McFall, McGee, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—43.

NOES—Belotti, Clarke, Cloyed, Grunsky, Gubser, Hansen, Kelly, Kirkwood, Lindsay, Luckel, Niehouse, Sherwin, and Silliman—13.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2479

Mr. Stewart asked for, and was granted unanimous consent to take up Assembly Bill No. 2479, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2479

Assembly Bill No. 2479—An act to amend Section 19538 of, and to add Sections 19538.1, and 19538.2 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Geddes:

House Resolution No. 184

Relative to the introduction of resolutions

WHEREAS, The principle of home rule for local governments on local affairs is now firmly embodied in the California Constitution; and

WHEREAS, The election of candidates to public offices in the local governments in this State is, and should be, a matter of purely local concern, and should not be influenced by any action of the State Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That no Member of the Assembly shall introduce any resolution designed to aid or adversely affect the campaign of any candidate for local office; and be it further

Resolved, That if any such resolution is introduced it shall not be received, nor shall it be printed or appear in the Assembly Journal.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Brown:

House Resolution No. 185

Relative to studying the continuous revision of the statute law by the Assembly Interim Committee on Judiciary

WHEREAS, By the enactment of the Financial Code and of the Public Utilities Code, as Chapters 364 and 764, respectively, of the Statutes of 1951, the Legislature

has enacted the last two codes called for by the California Code Commission's long-recommended plan of organizing the statutes of the State into 24 codes; and

WHEREAS, It appears from the 1950 Report of the California Code Commission, heretofore filed with each of the Members of the Legislature, that the commission anticipates bringing its work of codifying the laws of the State to substantial completion by the time the 1953 General Session of the Legislature convenes; and

WHEREAS, The commission has recommended that the problem of "keeping the codes in shape" and the problem of carrying forward a program for continuous revision of the statute law, both in matters of form and substance, be made the subject of careful study during the interim between the 1951 and 1953 General Sessions of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary is authorized and directed to ascertain, study and analyze all facts relating to the subject matter of the recitals of this resolution, and particularly to the desirability of directing the California Code Commission or some other law revision agency to undertake a continuing program of revising the statute law, including but not limited to a study of the experience of other states (such as the State of New York which has carried on such work over a period of years) and of the desirability of providing representation by Members of the Legislature on any such agency, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Stewart:

House Resolution No. 186

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and Local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 members of the standing Committee on Governmental Efficiency and Economy of the Assembly, the membership to be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of the 1953 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 850—An act to amend Section 10375 of the Health and Safety Code, relating to registration of births, deaths, and marriages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1030 to the Government Code, relating to the discharge of any employee of the University of California or of any state college who is a member of any Communist front or Communist action organization.

Respectfully submitted.

ROBERT I. McCARTHY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McCarthy:

An act to add Section 1030 to the Government Code, relating to the discharge of any employee of the University of California or of any state college who is a member of any Communist front or Communist action organization.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3455: By Mr. McCarthy (By request of Messrs. Babbage, Connolly, Doyle, and Kelly)—An act to add Section 1030 to the Government Code, relating to the discharge of any employee of the University of California or of any state college who is a member of any Communist front or Communist action organization.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1530—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 812—An act to amend the title of Chapter 4 of Division 20 of, and to add Section 24404 to, the Health and Safety Code, relating to the prevention of accidents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2858—An act to add Section 4665.5 to the Health and Safety Code, relating to the financing of sanitation and sewerage systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2947—An act to add Section 5083.2 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 13
Assembly Constitutional Amendment No 62
Assembly Constitutional Amendment No 64

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 18
Assembly Bill No. 302
Assembly Bill No. 380
Assembly Bill No. 1072
Assembly Bill No. 1463
Assembly Bill No. 1684
Assembly Bill No. 2129
Assembly Bill No. 2367
Assembly Bill No 2904
Assembly Bill No. 3122
Assembly Bill No. 3345

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 543

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 175
Assembly Bill No. 712
Assembly Bill No 2212
Assembly Bill No. 2384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2114

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 1200
Senate Bill No. 1203
Senate Bill No. 1204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1818
Assembly Bill No. 3090

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1524

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 28

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 13
Assembly Constitutional Amendment No. 62

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 64

Has had the same under consideration, and respectfully reports the same back without recommendation.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 171

By Mr. Lowrey:

House Resolution No. 171

Congratulating Commander Hamilton B. Joslin, U. S. N. R

WHEREAS, Hamilton B. Joslin enlisted in the United States Navy in 1930 at the age of 17 and was discharged therefrom in 1934 and joined the United States Naval Reserve in 1940 with the commission of Ensign; and

WHEREAS, While on active duty with the Navy in World War II he took part in the North Atlantic-Arctic Submarine Patrol for which service he was decorated, and served in the Asiatic and Southwest Pacific waters on submarines and attack transports of the Navy, and

WHEREAS, He was promoted through the various ranks to that of Lieutenant Commander before he was ordered to inactive duty in 1950; and

WHEREAS, In the service of the State of California after his return from naval duties, he served in the Legislative Auditor's office and with the Assembly Interim Committee on Public Lands; and

WHEREAS, Hamilton B Joslin left the state service in March, 1951, to return to the naval service with the rank of Commander; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Commander Hamilton B Joslin, U. S. N. R., upon his promotion, and express their appreciation of the services he rendered to the State and to Members of the Assembly during his sojourn in civilian life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit to Commander Hamilton B. Joslin a suitably engrossed copy of this resolution.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of June 4, 1951, at page 5080, in the last line of the last paragraph, strike out "engrossed", and insert "prepared".

Amendment read, and adopted.

Consideration of House Resolution No. 171, as Amended

By Mr. Lowrey:

House Resolution No. 171

Congratulating Commander Hamilton B. Joslin, U.S.N.R.

WHEREAS, Hamilton B Joslin enlisted in the United States Navy in 1930 at the age of 17 and was discharged therefrom in 1934 and joined the United States Naval Reserve in 1940 with the commission of Ensign; and

WHEREAS, While on active duty with the Navy in World War II he took part in the North Atlantic-Arctic Submarine Patrol for which service he was decorated, and

served in the Asiatic and Southwest Pacific waters on submarines and attack transports of the Navy; and

WHEREAS, He was promoted through the various ranks to that of Lieutenant Commander before he was ordered to inactive duty in 1950; and

WHEREAS, In the service of the State of California after his return from naval duties, he served in the Legislative Auditor's office and with the Assembly Interim Committee on Public Lands; and

WHEREAS, Hamilton B Joslin left the state service in March, 1951, to return to the naval service with the rank of Commander; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Commander Hamilton B. Joslin, U.S.N R., upon his promotion, and express their appreciation of the services he rendered to the State and to Members of the Assembly during his sojourn in civilian life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit to Commander Hamilton B. Joslin a suitably prepared copy of this resolution.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 172

By Mr. Connolly:

House Resolution No. 172

Relative to the study of the Alcoholic Beverage Control Act

WHEREAS, There was pending before the Boards and Commissions Committee of the Assembly, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees; and

WHEREAS, Said committee voted that the subject matter should be studied by an interim committee and that the Assembly should, by resolution, request the State Board of Equalization to preserve the status quo with respect to any action in connection with the problem; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly interim committee which may be authorized and directed to study any aspects of the Alcoholic Beverage Control Act is also hereby authorized and directed to investigate, study, and report all facts relating to the subject matter of Assembly Bill No. 3395 of this session, relating to the problem of a beer and wine wholesale licensee delivering such products to himself as a retail licensee; and be it further

Resolved, That the State Board of Equalization is requested to preserve the status quo with respect to its deliberations on this problem pending such investigation, study, and report, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Board of Equalization.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Erwin, Evans, Geddes, Grant, Hawkins, Hollibaugh, Kilpatrick, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Smith, Stewart, and Mr Speaker—33.

NOES—Belotti, Berry, Brown, Caldecott, Chapel, Condon, Cooke, Davis, Elliott, Fleury, Gaffney, Gubser, Hagen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, Meyers, Moss, Parker, Rumford, Sherwin, Stanley, and Thomas—32

Notice of Motion to Reconsider House Resolution No. 172

Mr. Condon gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 172 was this day adopted.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, June 4, 1951; Tuesday, June 5, 1951; Wednesday, June 6, 1951; Thursday, June 7, 1951; and Friday, June 8, 1951, were approved, as corrected by the Minute Clerk.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 187

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed three thousand five hundred dollars ($3,500), and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Kilpatrick:

House Resolution No. 188

Relative to the Assembly Interim Committee on Crime and Corrections

WHEREAS, The continued increase in population in this State and the lack of new custodial facilities has intensified the need for information by the Legislature with respect to custodial institutions in this State; and

WHEREAS, Available information indicates a rising tide of adult and juvenile delinquency and crime without the development of adequate means of custody and properly caring for the adults and juveniles involved in order to restrain and re-educate them; and

WHEREAS, It is important that this Assembly continue to have complete information as to the planning, construction and costs thereof, management, discipline, educational and curative facilities, food cleanliness, and adequacy of all custodial institutions for juvenile and adult persons in this State, except those expressly maintained for the insane and feeble-minded; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Crime and Corrections is hereby continued as an interim committee of this session and authorized and directed to ascertain, study, and analyze all facts relating to custodial institutions for juvenile and adult persons in this State except those expressly maintained for the insane and feeble-minded, including the planning, design, and construction of such institutions, the cost thereof, management, discipline, facilities, cleanliness, educational program, curative program, all facts relating to the prevention of crime and process by which adult persons suspected or charged with criminal or delinquent conduct are apprehended and convicted or acquitted, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

The committee is also authorized and directed to investigate and study all facts which might explain the development of criminal tendencies in persons who previously have not engaged in crime, including but not limited to lack of recreation, improper housing, and other matters of similar nature.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims incurred under this resolution or House Resolution No. 243 of the 1949 General Session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3434

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1376

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3076

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McMILLAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 1544

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Senate Bill No. 1632
Senate Bill No. 1672

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1985, on request of Mr. Dunn.

RECESS

At 12.03 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3024

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 471
Assembly Bill No. 976
Assembly Bill No. 1257
Assembly Bill No. 1260
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 1309
Assembly Bill No. 1628
Assembly Bill No. 2248

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1309, 3024, 471, 1628, 1257, 1260, 1261, 1262, 2248, and 976 re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 88—Relative to directing the Public Utilities Commission to apportion the costs for the construction of a certain grade separation on Los Feliz Boulevard in Los Angeles County.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Crowley, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hagen, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, Munnell, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—44.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.04 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out ", and".

Amendment No. 2

In the second line of the title of said bill, strike out "to add Chapter 7 to Title 6 of".

Amendment No. 3

On page 1, line 10, of said bill, strike out "no equitable method", and insert "need of better methods".

Amendment No. 4

On page 2 of said bill, between lines 3 and 4, insert

"To a great extent, this tax inequity is offset by the provision of county services within incorporated cities in greater proportion than the contributions through taxes are made by the residents of cities to the support of such services. Outstanding among such county services are the various social welfare programs and the use of the county hospital for the indigent sick. Only an impartial investigation by the Legislature, through extensive interim committee study and hearings can determine the extent of this offset and of the tax inequity mentioned in the preceding paragraph."

Amendment No. 5

On page 2, line 24, of said bill, strike out "January 1", and insert "September 30".

Amendment No. 6

On page 2, line 36, of said bill, strike out "agricultural".

Amendment No. 7

On page 3 of said bill, strike out lines 31 to 52, inclusive.

Amendment No. 8

On page 4 of said bill, strike out lines 1 to 36, inclusive.

Amendment No. 9

On page 4, line 37, of said bill, strike out "25268. At any time before July 1, 1952", and insert

"25264. At any time before January 1, 1953".

Amendment No. 10

On page 4, line 43, of said bill, strike out "If, at such hearing, the board determines by resolu-", and insert "At such hearing, the board may determine by resolu-".

Amendment No. 11

On page 4, line 46, of said bill, strike out ", the county", and insert a period.

Amendment No. 12

On page 4 of said bill, strike out lines 47 to 49, inclusive.

Amendments read.

Roll Call Demanded

Messrs. Beck, Rosenthal, and Munnell demanded a roll call.

The roll was called, and the amendments by Mr. Beck refused adoption by the following vote:

AYES—Beck, Belotti, Brady, Condon, Davis, Dunn, Gubser, Henderson, Kilpatrick, Lanterman, Lindsay, Lowrey, McCarthy, McCollister, McGee, Munnell, Rosenthal, Thomas, and Tomlinson—19.

NOES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McFall, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—43.

The question being on the passage of Assembly Bill No. 3217.

Motion to Amend

Mr. Munnell moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "On or before January 1, 1953, the", and insert

"The".

Amendment No. 2

On page 2, line 25, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 2, line 28, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 44, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 5

On page 2, line 51, of said bill, as amended, strike out "shall", and insert "may".

Amendments read.

Request for Unanimous Consent That Amendments Be Temporarily Passed on File

Mr. Munnell asked for unanimous consent that his proposed amendments be temporarily passed on file.

Mr. Geddes withheld unanimous consent.

Amendments Withdrawn

Mr. Munnell withdrew his amendments, by unanimous consent.

The question being on the passage of Assembly Bill No. 3217.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendment:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 1, 1951, between lines 34 and 35, insert

'SEC. 4. Chapter 7 is added to Title 6 of the Government Code to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. General Purposes

60500. The purpose of this chapter is to facilitate the administration of county governmental functions in unincorporated territory and to increase the efficiency of county governmental affairs by providing for more effective local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, libraries, and other functions under the authority of county boards of supervisors through the establishment of urban districts within unincorporated territory having a simple and direct access to and from the county board of supervisors and the officers and administrative districts of the county and to and from cities adjacent to such districts.

Article 2 Petition and Hearing

60510. Urban districts consisting of 150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside may be formed in the manner provided for in this chapter.

60511 Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form

_____ (filling in the blank) Urban District of _____ (filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514 Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517 The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made All written protests

must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3 Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district.

Article 4. Powers of District

60540 Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district, and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis, and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district.

Third To contract, on an annual basis either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of all such urban services as may be required by the urban district or urban districts As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors.

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required; provided, that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable.

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof.

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen.

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553. Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555 The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication. The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct.

60556. At the first election the ballot shall be in the following form.

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60558 Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the office of selectman for the term commencing on the following January 2d. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire

60559. If there are less than three hundred residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized. Each selectman so appointed shall serve for a term of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment. The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment. Thereafter vacancies on the board shall be filled by appointment by the board of supervisors.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen.

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action

60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction.

60564. The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the the district.

60565 The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget.

60566 The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7 District Investigation Act

60570 Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933"

Article 8. Changes in District Boundaries

60580 Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district

60582 The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitions to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585 The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed.

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district

60592. A petition for the dissolution of the district may be filed in sections; provided that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition

60594 Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county

60595 The notice of hearing shall

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors

60596 At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598 Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete

60599 Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution. If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose

60601. No portion of the territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

60602 A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located "

Amendment read.

Roll Call Demanded

Messrs. Lanterman, Shaw, and Munnell demanded a roll call.

The roll was called, and the amendment offered by Mr. Lanterman refused adoption by the following vote:

AYES—Belotti, Brady, Cloyed, Condon, Crowley, Davis, Hansen, Lanterman, Lowrey, Munnell, and Thomas—11.

NOES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—49

The question being on the passage of Assembly Bill No. 3217.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 6, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "such costs", and insert "the cost of special urban services".

Amendment No. 2

On page 6, lines 7 and 8, of said bill, strike out "the entire unincorporated area or", and insert "several".

Amendment No. 3

On page 6, line 40, of said bill, after "city," insert ", urban district".

Amendment No. 4

On page 7 of said bill, strike out line 14, and insert "or annexation, or in an urban district, such portion shall be withdrawn from such special service zone. All".

Amendment No. 5

On page 7, line 17, of said bill, after "city", insert "or urban district".

Amendments read.

Motion to Lay Amendments on the Table

Mr. Stewart moved that the amendments being offered by Mr. Lanterman be laid upon the table.

Point of Order

Mr. Beck arose to the following point of order: That the motion by Mr Stewart is not in order because Mr. Lanterman, the author of

the amendments now under consideration, has not had an opportunity to open his debate.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Lanterman.

Amendments Withdrawn

Mr. Lanterman withdrew his amendments, by unanimous consent.

The question being on the passage of Assembly Bill No. 3217.

Demand for Previous Question

Messrs. Evans, Luckel, Shaw, Levering, and McCarthy demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 3217.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Connolly, Cooke, Crowley, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—46.

NOES—Babbage, Beck, Belotti, Brady, Cloyed, Condon, Davis, Dunn, Gubser, Hansen, Lanterman, Lowrey, Munnell, and Thomas—14.

Notice of Motion to Reconsider Assembly Bill No. 3217

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3217 was this day passed.

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

Mr. Dunn withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3348

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No. 3348, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3348

Assembly Bill No. 3348—An act to add Section 11.1 to the Alameda County Flood Control and Water Conservation District Act, relating to the procedure for instituting projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 42 of the printed bill, as amended in the Senate on June 8, 1951, strike out lines 31 to 36, inclusive.

Amendment No. 2

On page 43, line 34, of said bill, strike out "3,981,795", and insert "3,992,038".

Amendment No. 3

On page 43, line 41, of said bill, strike out "2,669,097", and insert "2,678,776".

Amendment No. 4

On page 43, line 45, of said bill, strike out "125,420", and insert "125,984".

Amendment No. 5

On page 43, line 48, of said bill, strike out "4,082,266", and insert "4,092,509".

Amendment No. 6

On page 44, line 7, of said bill, strike out "3,981,795", and insert "3,992,038".

Amendment No. 7

On page 44, line 10, of said bill, strike out "5,348,268", and insert "5,437,548".

Amendment No. 8

On page 44, line 17, of said bill, strike out "3,699,352", and insert "3,788,150".

Amendment No. 9

On page 44, line 21, of said bill, strike out "156,785", and insert "157,267".

Amendment No. 10

On page 44, line 24, of said bill, strike out "5,495,498", and insert "5,584,778".

Amendment No. 11

On page 44, line 30, of said bill, strike out "5,348,268", and insert "5,437,548".

Amendment No. 12

On page 44, line 33, of said bill, strike out "2,869,874", and insert "2,882,541".

Amendment No. 13

On page 44, line 39, of said bill, strike out "1,921,211", and insert "1,933,878".

Amendment No. 14

On page 44, line 46, of said bill, strike out "2,964,101", and insert "2,976,768".

Amendment No. 15

On page 44, line 51, of said bill, strike out "2,869,874", and insert "2,882,541".

Amendment No. 16

On page 45, line 4, of said bill, strike out "2,516,793", and insert "2,521,874".

Amendment No. 17

On page 45, line 11, of said bill, strike out "1,787,102", and insert "1,792,183".

Amendment No. 18

On page 45, line 18, of said bill, strike out "2,608,807", and insert "2,613,888".

Amendment No. 19

On page 45, line 24, of said bill, strike out "2,516,793", and insert "2,521,874".

Amendment No. 20

On page 45, line 27, of said bill, strike out "3,085,147", and insert "3,095,671".

Amendment No. 21

On page 45, line 33, of said bill, strike out "2,074,364", and insert "2,074,888".

Amendment No. 22

On page 45, line 40, of said bill, strike out "3,189,901", and insert "3,200,425".

Amendment No. 23

On page 45, line 45, of said bill, strike out "3,085,147", and insert "3,095,671".

Amendment No. 24

On page 45, line 48, of said bill, strike out "3,888,954", and insert "3,895,557".

Amendment No. 25

On page 46, line 4, of said bill, strike out "2,646,915", and insert "2,653,518".

Amendment No. 26

On page 46, line 11, of said bill, strike out "4,019,733", and insert "4,026,336".

Amendment No. 27

On page 46, line 17, of said bill, strike out "3,888,954", and insert "3,895,557".

Amendment No. 28

On page 46, line 20, of said bill, strike out "2,509,939", and insert "2,521,405".

Amendment No. 29

On page 46, line 27, of said bill, strike out "1,833,734", and insert "1,845,200".

Amendment No. 30

On page 46, line 34, of said bill, strike out "2,600,015", and insert "2,611,481".

Amendment No. 31

On page 46, line 40, of said bill, strike out "2,509,939", and insert "2,521,405".

Amendment No. 32

On page 46, line 43, of said bill, strike out "3,857,905", and insert "3,875,203".

Amendment No. 33

On page 46, line 50, of said bill, strike out "2,706,924", and insert "2,723,656".

Amendment No. 34

On page 47, line 6, of said bill, strike out "3,944,549", and insert "3,961,845".

Amendment No. 35

On page 47, line 12, of said bill, strike out "3,857,905", and insert "3,875,203".

Amendment No. 36

On page 47, line 15, of said bill, strike out "4,374,959", and insert "4,384,576".

Amendment No. 37

On page 47, line 22, of said bill, strike out "3,102,415", and insert "3,111,791".

Amendment No. 38

On page 47, line 26, of said bill, strike out "115,255", and insert "115,496".

Amendment No. 39

On page 47, line 29, of said bill, strike out "4,518,034", and insert "4,527,651".

Amendment No. 40

On page 47, line 35, of said bill, strike out "4,374,959", and insert "4,384,576".

Amendment No. 41

On page 47, line 38, of said bill, strike out "2,317,362", and insert "2,330,415".

Amendment No. 42

On page 47, line 45, of said bill, strike out "1,624,118", and insert "1,637,171".

Amendment No. 43

On page 47, line 52, of said bill, strike out "2,384,637", and insert "2,397,690".

Amendment No. 44

On page 48, line 7, of said bill, strike out "2,317,362", and insert "2,330,415".

Amendment No. 45

On page 48, line 10, of said bill, strike out "3,683,882", and insert "3,706,344".

Amendment No. 46

On page 48, line 17, of said bill, strike out "2,617,625", and insert "2,640,087"

Amendment No. 47

On page 48, line 24, of said bill, strike out "3,755,702", and insert "3,778,164"

Amendment No. 48

On page 48, line 31, of said bill, strike out "3,683,882", and insert "3,706,344"

Amendment No. 49

On page 65 of said bill, strike out lines 44 to 52, inclusive.

Amendment No. 50

On page 66 of said bill, strike out lines 2 to 42, inclusive

Amendment No. 51

On page 72, line 38, of said bill, strike out "163,920", and insert "163,953".

Amendment No. 52

On page 72, line 40, of said bill, strike out "77,030", and insert "77,063".

Amendment No. 53

On page 73, line 50, of said bill, strike out "163,920", and insert "163,953".

Amendment No. 54

On page 76, line 10, of said bill, strike out "budget".

Amendment No. 55

On page 77, line 24, of said bill, strike out "249,400", and insert "223,200".

Amendment No. 56

On page 77 of said bill, strike out lines 27 to 29, inclusive.

Amendment No. 57

On page 77, line 31, of said bill, strike out "249,400", and insert "223,200".

Amendment No. 58

On page 77 of said bill, between lines 31 and 32, insert

"278.1—For major construction, improvements, and equipment, California State Prison at San Quentin, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund 26,200

Schedule:

(a) Preliminary plans for Commissary, Laundry, and Maintenance Shops Building	26,200	
Total of schedule		26,200".

Amendment No. 59

On page 79, line 9, of said bill, strike out "Inmate".

Amendment No. 60

On page 88, line 48, of said bill, strike out "building", and insert "buildings".

Amendment No. 61

On page 96 of said bill, between lines 16 and 17, insert

"(c) Instruments and equipment for radiological services, including installation and maintenance ..... 300,000"

Amendment No. 62

On page 96, line 17, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 63

On page 96, line 17, of said bill, strike out "7,833,000", and insert "7,533,000".

Amendment No. 64

On page 96 of said bill, between lines 26 and 27, insert

"The unexpended balance in the appropriation in Chapter 43, Statutes of 1950, Third Extraordinary Session, is hereby reappropriated for instruments and equipment for radiological services, including installation and maintenance, in augmentation of (c) above."

Amendment No. 65

On page 96, line 33, of said bill, strike out the period, and insert "but does not exceed $656,000,000."

Amendment No. 66

On page 96, line 36, of said bill, after "637,000,000", insert "but not in excess of $656,000,000".

Amendment No. 67

On page 104, line 35, of said bill, after "pledged," strike out "having motu-".

Amendment No. 68

On page 104 of said bill, strike out all of line 36

Amendment No. 69

On page 106, line 22, of said bill, after "leges", insert "(Except for acquisition of sites which are under active negotiation)".

Amendment No. 70

On page 107, line 27, of said bill, after "exposition", insert "(except expenditures for relocation of transmission lines, utilities, and levies)".

Amendment No. 71

On page 114 of said bill, strike out lines 24 to 37, inclusive.

Amendment No. 72

On page 118, line 1, of said bill, after "377", strike out "and", and insert a comma.

Amendment No. 73

On page 118, line 1, of said bill, after "378", insert ", and 378.1".

Amendment No. 74

On page 122 of said bill, strike out all of lines 48 to 52, inclusive.

Amendment No. 75

On page 123 of said bill, strike out all of lines 1 to 3, inclusive, and insert

"The State Board of Control, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of this State exempt from civil service for violating this chapter or the rules and regulations adopted pursuant thereto.

Such suspension is valid only if a written notice is served on the officer or employee prior to the effective date of the suspension and a copy of such notice filed with the State Personnel Board not later than 15 days after the effective date of such suspension. The notice shall be served upon the employee either personally or by mail and shall include: (a) a statement of the nature of the punitive action; (b) the effective date of the action; (c) a statement of the causes therefor; and (d) a statement advising the employee of his right to answer the notice and the time within which that must be done if the answer is to constitute an appeal.

The officer or employee against whom such punitive action is taken shall have the right to file an answer with the State Personnel Board as provided in Section 19575, Government Code, and request a hearing. If the answer requests a hearing the State Personnel Board shall conduct a hearing. The board shall consider carefully the evidence submitted in the hearing and render a decision sustaining, modifying or revoking such suspension."

BREED	SHERWIN
CUNNINGHAM	HINCKLEY
HATFIELD	MOSS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—Hawkins and McCollister—2.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1020

Mr. Tomlinson asked for, and was granted unanimous consent to take up Assembly Bill No. 1020, temporarily passed on file, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1020

Assembly Bill No. 1020—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "said code", and insert "the Welfare and Institutions Code".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 189—Relative to the passing of Mrs. Hattie W. Hahn.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 189, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 189 as Co-authors

Mr. Evans asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 189 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 189:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—78.

Further Consideration of House Resolution No. 189

By Messrs. Evans, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters:

House Resolution No. 189

Relative to the passing of Mrs Hattie W. Hahn

WHEREAS, One has passed from mortality to immortality in the memories of those who knew and loved her; and

WHEREAS, The passing of Mrs Hattie W Hahn, the Mother of Assemblyman Gordon R Hahn, is noted with deepest sorrow by this Assembly; and

WHEREAS, Mrs. Hattie W. Hahn met the obligations and fulfilled the duties of a mother with personal sacrifice and in a manner most admirable; and

WHEREAS, She has left a family active in the service of their community and of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their deep regret at the passing of Mrs. Hattie W. Hahn and extend to Assemblyman Gordon R. Hahn and to City Councilman Kenneth Hahn of Los Angeles and the other members of her family deepest sympathy on their bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Assemblyman Gordon R. Hahn and to City Councilman Kenneth Hahn of Los Angeles.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 88, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 88

Senate Concurrent Resolution No. 88—Relative to the Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO AMEND STANDING RULES BY REPEALING STANDING RULE NO. 55

In compliance with a notice of motion given on a previous day, Mr. Sam L. Collins moved to amend the Standing Rules by repealing Standing Rule No. 55.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1541

Mr. Connolly asked for, and was granted unanimous consent to take up Assembly Bill No. 1541, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1541

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

On page 10, line 16, of the printed bill, as amended in the Assembly on March 29, 1951, after "of", insert "clinical".

Amendment No. 2

On page 10, line 19, of said bill, strike out "The acceptance of", and insert "Knowingly accepting an".

Amendment No. 3

On page 10, line 23, of said bill after "on", insert "clinical".

Amendment No. 4

On page 10, line 24, of said bill, after "another", insert "clinical".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 343

Mr. Caldecott asked for, and was granted, unanimous consent to take up Assembly Bill No. 343, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 343

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 37, of the printed bill, strike out "or", and insert a comma.

Amendment No. 2

On page 3, line 37, of said bill, after "Division 3", insert ", or Chapter 9 of Division 3".

Amendment No. 3

On page 3, line 38, of said bill, strike out "and", and insert a comma.

Amendment No. 4

On page 3, line 38, of said bill, after "engineers", insert ", and contractors".

Amendment No. 5

On page 3 of said bill, after line 49, insert

"A contractor, who holds a license to engage in the business or act in the capacity of a contractor in this State under provisions of Chapter 9 of Division 3 or of any other act to regulate contracting, insofar as he engages in the business or acts in the capacity of a contractor, is exempt from registration under the provisions of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1991

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1991, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1991

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, after the period, insert "This section does not apply to Parts 8 and 9 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 611, on request of Mr. Stewart.

Assembly Bill No. 2079, on request of Mr. Fleury.

Assembly Bill No. 1216, on request of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 118

Mr. Lindsay asked for, and was granted unanimous consent to take up Assembly Bill No. 118, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 118

Assembly Bill No. 118—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Cooke, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, and Thomas—57.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3323—An act to amend Section 261b of and to add Section 261h to the Code of Civil Procedure, relating to phonographic reporters: salary: fees: taxation of fees as costs: transmission of fees to treasurer.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "261b of" and insert "261a.5 of,".

Amendment No. 2

In line 2 of the title of said bill, after the first "to", insert a comma.

Amendment No. 3

On page 1, line 1, of said bill, strike out "261b", and insert "261a.5".

Amendment No. 4

On page 2, line 1, of said bill, strike out "261b", and insert "261a.5".

Amendment No. 5

On page 3, line 3, of said bill, strike out "five dollars ($5)", and insert "four dollars ($4)".

Amendment No. 6

On page 3, line 6, of said bill, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 7

On page 3, line 18, of said bill, strike out "vener", and insert "venor".

Amendment No. 8

On page 3, line 22, of said bill, strike out "five dollars ($5)", and insert "four dollars ($4)".

Amendment No. 9

On page 3, line 23, of said bill, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 10

On page 3 of said bill, between lines 29 and 30, insert

"The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code."

Amendment No. 11

On page 3, line 47, of said bill, after the period, insert "Each of such regular official reporters shall devote his entire time during office hours to the duties of his office and is prohibited from engaging in private work during office hours All fees, commissions, or compensation, other than his official salary and fees authorized by law for his official duties, received by him from any source for work during office hours, shall be paid into the county treasury and deposited in the general fund thereof."

Amendments read.

Roll Call Demanded

Messrs. Munnell, Beck, and Cloyed demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Roll Call Demanded

Messrs. Beck, Cloyed, and Munnell demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Caldecott, Connolly, Crowley, Davis, Dolwig, Doyle, Dunn, Grunsky, Hansen, Kelly, Klocksiem, Lyon, Maloney, McCarthy, Meyers, Moss, Munnell, Porter, Sherwin, Smith, Stanley, and Thomas—26.

NOES—Cooke, Gaffney, Luckel, McGee, and McMillan—5.

Time, 4.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Brown, Caldecott, Cloyed, Coats, Sam L Collins, Dickey, Dills, Grant, Hollibaugh, Kilpatrick, Lanterman, Levering, Lincoln, McFall, Morris, Parker, Porter, Rumford, and Tomlinson—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3445 BE RE-REFERRED TO COMMITTEE

Mr. Meyers asked for, and was granted, unanimous consent that Assembly Bill No. 3445 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2022

Mr. Lindsay asked for, and was granted, unanimous consent to take up Assembly Bill No. 2022, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2022

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation

Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, and Thomas—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3439

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 3439, out of order.

CONSIDERATION OF ASSEMBLY BILL NO. 3439

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Sillman, Smith, Stewart, and Thomas—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1914

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1914, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1914

Assembly Bill No. 1914—An act to add Section 1755.3 to the Welfare and Institutions Code, relating to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1215—An act to add Articles 3 and 4 to Chapter 5, Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedure, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, and Stewart—46.

NOES—Elliott, Hagen, Henderson, Lowrey, Moss, and Thomas—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2134—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—54.

NOES—Elliott—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable either from revenues from such parking places and also from revenues from parking meters on some or all of the public ways in such

districts or from ad valorem assessments upon real property in such districts, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—54

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1519, on request of Mr. Dickey.

Assembly Bill No. 2706, on request of Mr. Dickey.

Assembly Bill No. 453, on request of Mr. Crowley.

Assembly Bill No. 1722, on request of Mr. Stanley.

Assembly Bill No. 835, on request of Mr. Stanley.

Assembly Bill No. 2120, on request of Mr. Lipscomb.

Assembly Bill No. 2946, on request of Mrs. Niehouse.

Assembly Bill No. 1166, on request of Mr. Brown.

Assembly Bill No. 233, on request of Mr. Meyers.

Assembly Bill No. 3121, on request of Mr. Meyers.

Assembly Bill No. 765, on request of Mr. Crowley.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1708—An act to amend Section 3521 of the Education Code, relating to the organization of high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, Condon, Cooke, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—48.

NOES—Elliott—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2886—An act to add Article 5c (Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said Veterans Bond Act of 1951;

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of precinct boards;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3387—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts;

And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings;

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies;

Assembly Bill No. 2827—An act to amend Section 28140 of the Government Code, relating to compensation for public service in counties of the fortieth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1242—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations;

Assembly Bill No. 1611—An act to amend Section 2 of, and to add Section 3 to, an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used;

Assembly Bill No. 2001—An act to amend Section 22280 of, and add Section 22281 1 to, the Water Code, relating to charges in irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 905—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses;

Assembly Bill No. 908—An act to amend Section 3 of, and to add Sections 3 5 and 30 02 to, the Public Utility District Act, relating to public utility districts;

Assembly Bill No. 926—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950;

Assembly Bill No. 884—An act to add Section 1730 6 to the Insurance Code, relating to receipt and holding of fiduciary funds by managing general agents;

Assembly Bill No. 885—An act to amend Sections 922 1, 922 2, and 1591, to amend Section 922 5 and renumber it Section 922 8 and to repeal Sections 922 3 and 922 4 of, and to add Sections 922 3, 922 4, 922.5, 922 6 and 922.7 to, the Insurance Code, relating to financial statements of insurers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more;

Assembly Bill No. 386—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax;

Assembly Bill No. 521—An act to amend Section 10292 of the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 89—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-ninth day of May, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 38—Relative to the reopening of Birmingham General Hospital;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3443—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3453—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3438

Mr. Chapel asked for, and was granted unanimous consent to take up Assembly Bill No. 3438, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3438

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—60

NOES—Silliman—1

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 500 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3205—An act relating to conservation, particularly of the species Sequoia gigantea.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 892—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of school districts from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, and Thomas—49.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. BECK TO ASSEMBLY BILL NO. 3323

At 5.06 p.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Beck to Assembly Bill No. 3323 refused adoption by the following vote:

AYES—Beck, Burke, Burkhalter, Clarke, Collier, Condon, Davis, Doyle, Geddes, Hagen, Kilpatrick, Kirkwood, Klocksiem, Lowrey, Luckel, McMillan, Morris, Munnell, Rosenthal, Smith, Stanley, Stewart, and Thomas—23.

NOES—Babbage, Belotti, Berry, Brady, Chapel, Connolly, Cooke, Crowley, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Niehouse, Shaw, and Sherwin—32

The question being on the passage of Assembly Bill No. 3323.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Kelly, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, Stewart, and Thomas—51.

NOES—Beck, Condon, Hagen, Kirkwood, Klocksiem, Luckel, and Munnell—7.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate pursuant to your request is returning herewith .

Assembly Bill No. 1879

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1879

Mr. Stewart asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Wednesday, June 6th, passed Assembly Bill No. 1879, and that Assembly Bill No. 1879 be placed upon the inactive file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 671—An act to amend Section 395 of, and add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05 and 395.06 to, the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty and compensation and salary during absence on military or naval leave, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 951—An act to amend Sections 4013 and 4162 of, and add Sections 4034, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039 to, and repeal Sections 4038 and 4039 of, the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay,

Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2214—An act to amend Sections 458 and 471, and to repeal Sections 481 and 483, of the Streets and Highways Code, relating to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1056—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Landsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 170

By Messrs. Waters, Hollibaugh, Lanterman, McGee, Klocksiem, Levering, Morris, Collier, Conrad, Porter, Hawkins, McMillan, Evans, Geddes, Rosenthal, Munnell, Dickey, Grant, Sam L. Collins, Thomas, Mrs. Niehouse, Messrs. Doyle, Smith, Lipscomb, Stewart, Erwin, Lyon, Burkhalter, and Chapel:

House Resolution No. 170

Relative to the taxation of women's and fraternal organizations

WHEREAS, As the result of a recent court decision in the case of *Simms* vs. *Los Angeles County* (1950), 35 Cal. 2d 303, many women's clubs, fraternal organizations and others similar in nature have been denied tax reductions on their club houses which they have heretofore enjoyed; and

WHEREAS, These organizations are of great benefit to their communities and the State of California because of their interest in civic betterment and philanthropic work, and

WHEREAS, The activities in which these organizations engage result in great savings to the taxpayer, since many of the services they render would otherwise have to be furnished and financed through some governmental agency; and

WHEREAS, The added taxes imposed upon these organizations may cause many of them to cease operating and thus force additional responsibilities and duties upon governmental agencies at great cost to the taxpayers; and

WHEREAS, These organizations are non-profit in nature and afford no profit or gain to any individual; and

WHEREAS, It is to the interest of all levels of government to extend support to these organizations so that they may continue in the performance of their good work; and

WHEREAS, Despite repeated efforts during the 1951 Session of the California Legislature, no adequate solution to the furnishing of such support has been found; now, therefore be it

Resolved by the Assembly of the State of California, That the present Assembly Interim Committee on State and Local Taxation, or any committee with similar functions created at this session of the Legislature, is hereby directed to study ways and means of providing adequate property tax relief to the aforementioned organizations so that they may be returned to the position which they heretofore enjoyed, and be it further

Resolved, That the committee report its findings and recommendations to this body at the next general session of the Legislature.

Resolution read, and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2121—An act to amend Section 6701 of, and to add Sections 6703, 6704, and 6705 to, the Revenue and Taxation Code, relating to security for payment of obligations under the Sales and Use Tax Law, and to provide for certain exceptions in the application of these security requirements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Holibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2121

Mr. Silliman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2121 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Respectfully submitted.

H. ALLEN SMITH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Smith:

An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3456: By Mr. Smith—An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Judiciary.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2693, on request of Mr. Geddes.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 322
Assembly Bill No. 1194
Assembly Bill No. 2002

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators O'Gara, Harold T. Johnson, and McBride as a Committee on Conference concerning:

Assembly Bill No. 3364—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 37
Senate Bill No. 145
Senate Bill No. 731

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1658

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 407—An act to amend Section 7315 of the Business and Professions Code, dealing with cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, and Tomlinson—54.

NOES—Gubser—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 966—An act to add Chapter 4, comprising Sections 591 to 737, inclusive, to Division 3 of the Harbors and Navigation Code, relating to inspection, licensing and registration of vessels, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hansen, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, and Tomlinson—45.

NOES—Collier, Hinckley, and Kirkwood—3.

Notice of Motion to Reconsider Assembly Bill No. 966

Mr. Grunsky gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 966 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 940

Mr. Berry asked for, and was granted, unanimous consent to take up Assembly Bill No. 940, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 940

Assembly Bill No. 940—An act to amend Section 485 of the Vehicle Code, relating to drivers of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1900—An act making an appropriation to pay the claim of Charles E. Cooper against the State of California.

Bill read third time, and ordered passed on file, to hold its place on file on the next legislative day.

Assembly Bill No. 1405—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1631—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System in respect to the basic death benefit.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1258—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2, of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

Bill read third time.

Demand for Previous Question

Messrs. Hansen, McCarthy, Silliman, Kirkwood, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1258.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, and Tomlinson—44.

NOES—Brady, Burke, Dickey, Dills, Doyle, Evans, Geddes, Hawkins, Hollibaugh, Kelly, Levering, Lyon, McCollister, McGee, McMillan, Niehouse, Smith, and Stewart—18.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 94: By Messrs. Meyers, Morris, Geddes, Rosenthal, Beck, Belotti, Berry, Brady, Chapel, Cooke, Crowley, Davis, Dills, Doyle, Gaffney, Grant, Gubser, Hagen, Henderson, McFall, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, and Rumford—Relative to the establishment of a first aid station in the State Capitol Building Annex.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MATTERS ON FILE HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that all matters, passed on file today, hold their places on file on the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Mr. Kilpatrick:

House Resolution No. 190

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of one thousand seven hundred and fifty dollars ($1,750) or so much thereof as is necessary is hereby made available from the Contingent Fund of the Assembly for the expenses heretofore incurred by the Assembly Interim Committee on Crime and Corrections pursuant to House Resolution No 243, 1949 General Session, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Stanley, Lincoln, Fleury, McCarthy, Moss, Lyon, McGee, and Geddes:

House Resolution No. 191

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to complete its study and investigation of conflicts in building laws and regulations

WHEREAS, Due almost entirely to the hearings by, and research of, the Assembly Interim Committee on Governmental Efficiency and Economy, the 1951 Session of the Legislature, is the first session in the last several where the Legislature has not had to consider dozens of complex and controversial building and housing law proposals; and

WHEREAS, Said interim committee already has recommended the course detailed study of the many conflicts in state and local building laws and regulations should take; and

WHEREAS, If such conflicting laws and regulations add only 1 percent to building costs, the unjustified cost annually to builders and the public is in excess of twenty million dollars; and

WHEREAS, Codification of thousands of pages of state laws and building regulations and clarification of the State's organization to provide better direction and coordination of the State's interest in building construction activities is essential before such conflicts can be resolved; and

WHEREAS, Local building codes and purported excessive or restrictive requirements therein as to conditions or materials need careful consideration by objective experts; and

WHEREAS, Conflicts in the jurisdiction of the many state and local agencies charged with enforcement of the state and local laws and regulations is as expensive to the public and builders as conflicting laws; now therefore be it

Resolved, by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy is directed to continue and complete its study and investigation of conflicts in state and local building laws and regulations and the enforcement thereof by state and local officers and to recommend all feasible means of eliminating such conflicts, including, but not limited to, codification of existing laws and regulations, coordination of state and local enforcement functions and all other matters relating to or in any way bearing on the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Davis, Moss, Gubser, and Geddes:

House Resolution No. 192

Relative to the creation of the Assembly Interim Committee on Fairs and Expositions

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fairs and Expositions is hereby created and authorized and directed to ascertain, study, and analyze all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions or eliminating present existing fairs or expositions, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To confer with the Department of Finance with respect to the allocation of money to the various fairs and to state agencies which receive money from the Fair and Exposition Fund.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Lowrey, Lindsay, and Sherwin:

House Resolution No. 193

Relative to changing the name of, and the continuance of, the Assembly Committee on Public Lands

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Committee on Public Lands, created by House Resolution No. 121 of the 1949 Regular Session, is hereby renamed and shall hereafter be known as the *Assembly Interim Committee on Public Lands, Grazing, and Forest Practices.*

2. The committee is hereby continued and authorized and directed to ascertain, study and analyze all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal, and local Government relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; all facts relating to the recordation and registration of land titles; all facts relating to grazing lands, including but not limited to the conversion of brush-covered lands to grazing lands by controlled burning; and all facts relating to forest practices; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

3. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof upon the adoption of this resolution. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

4. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

5 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

6 *The committee has the following additional powers and duties:*

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To study and investigate any state agency which is charged with the administration or enforcement of any of the laws relating to the subject matter of this resolution.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

7. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 194

Relative to the creation of the Assembly Interim Committee on Finance and Insurance

WHEREAS, It has been demonstrated during the 1951 Session of the California Legislature that much time may be conserved by the Assembly through the early introduction of bills in the regular session which have been heard as to their subject matter by a properly constituted interim committee which has afforded the interested parties ample opportunity to present matter pertaining to the subject legislation; and

WHEREAS, By such interim committee an opportunity is also afforded to its members to become acquainted with the subjects investigated and researched to determine whether by their authorship the members will support legislation pertaining to the same; and

WHEREAS, The several departments and agencies of the State Government are also given an ample opportunity to conduct industry hearings and to present a report of the same to such committee by which means agreed bills may be brought in early in the session; and

WHEREAS, By preparing for the 1953 Session of the Legislature by an Assembly Interim Committee on Finance and Insurance time may be saved and the work of the Legislature expedited, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance, as to matters affecting the solvency of the fund and actuarial and other related problems, and

(b) Unemployment disability insurance.

(c) Workmen's compensation insurance.

(d) Commercial insurance in all its branches, including but not limited to group insurance and the matter of dividends and dividend procedure

(e) Self insurers authorized by and operating subject to California laws, the operation and stability of the same and need for further clarification or revision of such laws.

(f) Voluntary plans of hospital and/or health insurance or plans operating under provisions of the law to protect persons from the high costs of sickness and accident in this State, and other unregulated plans purporting to operate under existing provisions of law, and the need for regulation under existing laws or the enactment of regulatory legislation.

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public.

(h) Banks, saving and loan and other investment and loaning institutions and institutions operating under the Corporations Code which are related to the field of finance or investment, including credit unions

(i) The administration of the laws relating to each subject set forth above and the conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

(j) Matters pertaining to the subjects of legislation referred to the Assembly standing Committee on Finance and Insurance during the 1951 Regular Session.

2. The committee shall consist of the members of the Assembly standing Committee on Finance and Insurance of the 1951 Session The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the Speaker as provided by the Standing Rules of the Assembly.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To elect a vice chairman from among its membership, and to appoint a secretary and engage other and necessary employees to serve the committee

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman.

(d) To meet outside of this State within the United States either in full committee or subcommittees thereof as appointed by the chairman to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated herein.

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(f) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided.

(g) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 195

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake an investigation

WHEREAS, It appears from information submitted to committees of the Assembly by the Department of Insurance, and from complaints received by various Members of the Assembly from their constituents, that there is a considerable and growing number of unlicensed, unregulated and nonprofessional persons and organizations who, to the detriment of great numbers of the citizens of this State, are for a consideration promising or purporting to promise such citizens that they will furnish or procure medical, surgical, hospital and other related services or treatments upon the illness or accidental injury of such citizens but who, when the time for performance arrives, almost invariably furnish or procure no service or treatment or wholly inadequate service or treatment, or service or treatment grossly below the quantity or quality represented; and,

WHEREAS, There are also operating in this same field a number of reputable persons and organizations who offer such services and who, when the time for performance arrives fulfill all commitments, but who would discontinue operations if required to comply with onerous regulatory provisions of law which might be enacted by the Legislature; and

WHEREAS, Efforts by the Legislature to enact appropriate legislation to protect citizens from the persons and organizations first mentioned above have been unsuccessful because of the probability that such regulations might drive from the field persons and organizations of the type last mentioned above; and

WHEREAS, In order to enact such legislation, which is vitally needed, it is necessary that the Legislature be fully informed as to all facts concerning or relating to the detailed methods of operation of all persons and organizations mentioned above, in order that it may determine (a) whether regulations might be drafted which would be sufficient to protect the public from the first named class of persons and organizations without causing the second named class of persons and organizations to discontinue their services or (b) whether facts exist sufficient to establish a natural, intrinsic and constitutional distinction between said first and second classes of persons and organizations so as to justify legislation regulating the former and exempting the latter from its operation; and

WHEREAS, It appears that such study is within the scope of the functions of the Assembly Interim Committee on Finance and Insurance; now, therefore, be it

Resolved, That the Assembly Interim Committee on Finance and Insurance be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the subjects expressed in the recitals of this resolution including but not limited to the methods of operation and need for regulation of the persons and organizations mentioned in said recitals, and to the adequacy or inadequacy of the existing laws which might be used to regulate such persons and organizations, and to report thereon to the Legislature not later than the fifteenth legislative day of the 1953 General Session, including in its reports its recommendation for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3096

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up Assembly Bill No. 3096, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 3096

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garner block as part of the State Park System and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "any money in the State Park Fund not otherwise appropriated", and insert "that portion of the State Park Fund which is available for the acquisition of public recreational facilities, other than parks".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2064, on request of Mr. Kirkwood.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 95: By Messrs. Stanley, Hollibaugh, Hahn, Babbage, Beck, Brown, Burke, Cloyed, Coats, Geddes, Grant, Grunsky, Hansen, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, McGee, Rumford, Silliman, Stewart, and Tomlinson—Relative to the creation of the Joint Interim Committee on Municipal and County Government.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1048
Senate Bill No 1216
Senate Bill No. 1421
Senate Bill No. 1708
Senate Bill No 1721
Senate Bill No. 1728
Senate Bill No 1819
Senate Bill No 1824

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 1048—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability, including a schedule for the determination of such percentages.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1216—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 1421—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1708—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to the powers of the State of California or any county, city, district or other public agency, corporation or body to enter into contracts or make purchases.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal Aid Highway Act of 1950 and the expenditure of federal-aid moneys.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4.3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1819—An act conveying certain tidelands and lands lying under inland navigable waters, situate in Bodega Harbor to the County of Sonoma, in furtherance of navigation and commerce and the fisheries and for public recreational purposes, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1824—An act to change the name of the California Vocational Institution to the Deuel Vocational Institution by amending the title of Article 4, Chapter 1, Title 1, Part 3 of the Penal Code, and by amending Sections 2035 to 2041 of said code.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 30
Senate Joint Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 1e, relating to the submission of initiative measures to the electors.

Referred to Committee on Constitutional Amendments.

Senate Joint Resolution No. 36—Relative to the need for materials for construction of additional school and college buildings in California.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 5.55 p.m., Mr. Brown asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Judiciary in Room 2170, tomorrow, Wednesday, June 13th, upon adjournment.

Subject: Assembly Bill No. 3456.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Public Health, in Room 2170.
Fish and Game, in Room 3184.
Social Welfare, in Room 426.

Today Upon Adjournment—

Agriculture, at desk of Mr. Clarke.

Tomorrow, Wednesday, June 13th, At 9 a.m.—

Rules, in Room 3184.
Upon adjournment, Elections and Reapportionment, in Room 435.

It was announced that the following committee would hold no meeting today:

Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bion Gregory and son, Bion M. Gregory, of Sacramento.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Francis C. Darby of San Diego.

On request of Mr. Grant, the usual courtesies of the Assembly for this day were unanimously extended to Arthur A. Knoll and Carl H. Ehmann of Long Beach.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Frost of Etiwanda.

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Thomas V. Maloney of Cincinnati.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to C. J. Main, Bill Sheppard, and Lew Dreager of Tulelake.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Don L. Bradley of San Francisco.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Anna Ginzler of Bakersfield.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to the following group of Democratic women: Mesdames Lillian McBarron, Enid Foster, Eulalia Anderson, Claudine Zumwalt, Gladys Frey, Martha Vandenberg, Wanda Pasley, and Dorothy Lind, of Hayward, and Mesdames Helen Boris, and Chloe Johnson of Oakland.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles E. Johnson of Riverside.

ADJOURNMENT

At 6 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned, until 10 a.m., Wednesday, June 13, 1951, out of respect to the memory of the late Mrs. Hattie W. Hahn, mother of Assemblyman Gordon R. Hahn.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTIETH LEGISLATIVE DAY

ONE HUNDRED TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 13, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal God, Grant to us those inner resources that provide adequate strength for the duties and the needs before us. "Thou wilt keep him in perfect peace whose mind is stayed on Thee." Direct us in the tasks of government.

We thank Thee for this inner tranquillity in spite of outward circumstance. We would open our hearts freely to Thy Spirit, our minds to Thy law, and our wills to Thy quickening energy.

"Thy name, O Lord, in sweet accord,
We worship and adore;
Thy goodness bless, Thy love confess,
Thy tender grace implore."

Through Jesus Christ our Lord—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his mother:

Mr. Hahn, on motion of Mr. Stanley.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr. Beck.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 293

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 343
Assembly Bill No. 1020
Assembly Bill No. 1142
Assembly Bill No. 1541
Assembly Bill No. 1991
Assembly Bill No. 2712
Assembly Bill No. 3096
Assembly Bill No. 3183

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2591

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3452

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1308
Assembly Bill No. 1309

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 1625

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Concurrent Resolution No. 84

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

ERWIN, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 49
Senate Bill No. 1061

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 89
Senate Concurrent Resolution No. 90

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 89—Relative to congratulating Dr. John W. Cline on his selection as President of the American Medical Association.

Referred to Committee on Public Health.

Senate Concurrent Resolution No. 90—Relating to observance of Flag Day.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and to amend Section 6 of, the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Assembly Bill No. 2599 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the above message from the Senate, dated June 5, 1951, has just been received from the Senate, today, June 13, 1951.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 110—An act to amend Section 448 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the forty-eighth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 621—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3451—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Bill read second time, and ordered engrossed.

Assembly Bill No. 842—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28138", and insert "28137".

Amendment No. 2

In line 3 of the title of said bill, strike out "thirty-eighth", and insert "thirty-seventh".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28137 of the Government Code is amended to read:

28137. In a county of the thirty-seventh class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, four thousand two hundred fifty dollars ($4,250) a year.

(b) The district attorney, four thousand eight hundred dollars ($4,800) a year.

(c) Each supervisor shall receive two hundred [dollars ($200)] *fifty dollars ($250)* a month, and his actual expenses while attending to the business of the county by the order of the board of supervisors and mileage at the rate of fifteen cents ($0.15) a mile, one way; (1) for traveling from his residence to the county seat to attend regular, special, and adjourned sessions of the board of supervisors, and (2) for all actual distances traveled by him in the performance of his duties as road commissioner.

(d) Grand jurors and jurors in the superior court shall receive [three dollars ($3)] *five dollars ($5)* for each day's attendance and fifteen cents ($0.15) for each mile actually traveled in attending court as a juror, and for attending regularly called grand jury meetings and grand jury committee hearings, one way. Mileage shall be paid for each time a regularly empaneled jury or grand jury is called in separate session

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 622—An act to amend Sections 145 and 825 of the Penal Code, relating to the taking of persons arrested before a magistrate.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "twenty-four", and insert "forty-eight".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1379—An act providing for the constitution of the municipal court in a district embracing the City of Merced, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "providing for the constitution of the municipal court"; and strike out lines 2, 3, and 4 of the title, and insert "to amend Section 79.24 of the Code of Civil Procedure, relating to judges of the superior court."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 79.24 of the Code of Civil Procedure is amended to read:

79.24. The annual salary of each Judge of the Superior Court in and for the County of Merced is [ten thousand dollars ($10,000)] *thirteen thousand five hundred dollars ($13,500)*."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1412—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "as", insert "now or hereafter".

Amendment No. 2

On page 1, line 5, of said bill, after "city", insert "unless otherwise prescribed by the Legislature".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1422—An act providing for the constitution of the municipal court in a district embracing the City of Rodendo Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "in the district known and designated as South Bay Municipal Court District, Los Angeles County, and pre-".

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert "known and designated as South Bay Municipal Court District, Los Angeles County, shall be constituted, and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be three judges, each of whom shall receive the salary provided for municipal court judges in the county;

(2) There shall be one clerk, who shall receive six hundred sixty dollars ($660) monthly, and who may appoint the following.

One chief deputy clerk who shall receive five hundred dollars ($500) monthly;

Three deputy clerks, each of whom shall receive four hundred dollars ($400) monthly;

Four deputy clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

Two deputy clerks (stenographers), each of whom shall receive three hundred dollars ($300) monthly;

Three deputy clerks (typists), each of whom shall receive two hundred seventy-five dollars ($275) monthly;

(3) There shall be one marshal, who shall receive six hundred sixty dollars ($660) monthly and who may appoint the following:

One chief deputy who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20) to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred three dollars ($303) monthly;

Ten deputies (custodians), at the fee allowed by law for keeping property."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2107—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7", and insert "7d".

Amendment No. 2

Strike out lines 8 to 9, inclusive, of the title of the printed bill, and insert "relating to reporters in municipal courts of cities of the first and one-half class."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "7", and insert "7d".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 20, inclusive, and insert

"Sec 7d Official reporters in every municipal court in cities of the first and one-half class, appointed as provided in Section 274c of the Code of Civil Procedure, shall be attaches of such court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of [five hundred dollars ($500)] *five hundred fifty dollars ($550)* per month, which shall be paid from the reporters' salary fund hereinafter referred to

The judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary, but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive [twenty dollars ($20)] *twenty-two dollars ($22)* per day, which shall, upon order of the court, be paid from said reporters' salary fund

All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit the same in the reporters' salary fund

Fees for transcription of testimony and proceedings in such court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where, by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the county treasury

There shall be set aside from the revenue of said court, in the manner and at the times hereinafter provided, a revolving fund, to be known as the reporters' salary fund, in the amount of [fifteen thousand dollars ($15,000)] *sixteen thousand five hundred dollars ($16,500)*.

At the time of each monthly distribution of the revenue of said court to the city and county within which such court is established, the clerk of the court shall deduct proportionately from their respective total shares thereof such sum as will, when added to the sum then remaining in said fund, if any, equal [fifteen thousand dollars ($15,000)] *sixteen thousand five hundred dollars ($16,500)*, and deposit the same in said fund

Deductions from the county's share of said revenue shall be made from that portion thereof distributable to the salary fund of the county, and deductions from the city's share shall be made from that portion thereof distributable to the general fund of the city.

For the purposes of this act the "revenue" of said court is defined to include all fines, forfeitures, and fees accruing to the cities or the county, except law library fees.

In the event said reporters' salary fund shall at any time be insufficient, then the amount of such deficiency shall, upon order of the court, be paid from the general fund of the county.

The county treasurer shall be the depositary, and the county auditor the disbursing agent, for said fund.

Official reporters of such court shall be members of any retirement system which includes attaches thereof For the purposes of such retirement system, the salary herein provided for such reporters shall be deemed their entire compensation, except that where credit is claimed for service rendered prior to the establishment of such salary, the actual compensation paid to them by the county shall be the basis for contributions for such prior service, and continuous employment in such municipal court, or a court superseded by it, prior to membership in said retirement system, shall be considered as "prior service" therein upon the payment by such reporters of the sums due, if any, under said retirement system."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2109—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7a", and insert "7d".

Amendment No. 2

In line 9 of the title of said bill, after "class", insert "and attaches in the municipal court established in a judicial district embracing the City of Los Angeles".

Amendment No. 3

On page 1, line 1, of said bill, strike out "7a", and insert "7d".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"Sec. 7d. Official reporters in every municipal court in cities of the first and one-half class, appointed as provided in Section 274c of the Code of Civil Procedure, shall be attaches of such court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of [five] *six* hundred *twenty-five* dollars [($500)] *($625)* per month, which shall be paid from the reporters' salary fund hereinafter referred to

The judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary, but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive [twenty] *twenty-five* dollars [($20)] *($25)* per day, which shall, upon order of the court, be paid from said reporters' salary fund.

All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit the same in the reporters' salary fund

Fees for transcription of testimony and proceedings in such court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where, by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the county treasury.

There shall be set aside from the revenue of said court, in the manner and at the times hereinafter provided, a revolving fund, to be known as the reporters' salary fund, in the amount of fifteen thousand dollars ($15,000).

At the the time of each monthly distribution of the revenue of said court to the city and the county within which such court is established, the clerk of the court shall deduct proportionately from their respective total shares thereof such sum as will, when added to the sum then remaining in said fund, if any, equal fifteen thousand dollars ($15,000), and deposit the same in said fund.

Deductions from the county's share of said revenue shall be made from that portion thereof distributable to the salary fund of the county, and deductions from the city's share shall be made from that portion thereof distributable to the general fund of the city.

For the purposes of this act the "revenue" of said court is defined to include all fines, forfeitures, and fees accruing to the city or the county, except law library fees

In the event said reporters' salary fund shall at any time be insufficient, then the amount of such deficiency shall, upon order of the court, be paid from the general fund of the county.

The county treasurer shall be the depositary, and the county auditor the disbursing agent, for said fund

Official reporters of such court shall be members of any retirement system which includes attaches thereof For the purposes of such retirement system, the salary herein provided for such reporters shall be deemed their entire compensation, except that where credit is claimed for service rendered prior to the establishment of such salary, the actual compensation paid to them by the county shall be the basis for contributions for such prior service, and continuous employment in such municipal court, or a court superseded by it, prior to membership in said retirement system, shall be considered as "prior service" therein upon the payment by such reporters of the sums due, if any, under said retirement system.

On January 1, 1952, and thereafter, any provision of law to the contrary notwithstanding, this section shall continue in full force and effect, except that the provisions therof shall apply to the municipal court established in a judicial district embracing the City of Los Angeles, and to all cities included in said judicial district"

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 18, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2362—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to reporters for superior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "261b, as added by Chapter 1031 of the Statutes of 1943", and insert "261a 5".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 261a.5 of the Code of Civil Procedure is amended to read:

261a.5. In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the Federal Census taken in 1940, *and in each county, or city and county, having a population of 280,000 or over and less than 285,000 inhabitants, as determined by the Federal Census taken in 1950*, the judges

of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822, to 26825, inclusive of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3326—An act to add Section 2611 to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 17, 1951, strike out ", and declaring the urgency of this act".

Amendment No. 2

On page 1, line 19, of said bill, strike out "400,000", and insert "295,000".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3088—An act to amend Section 9906 of the Government Code, relating to the regulation of legislative representation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Legislative Representation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9906", and insert "Sections 9907 and 9908".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9907 of the Government Code is amended to read:

9907. All reports and statements required under this chapter [shall] *to* be made under oath [,] *shall be sworn to* before an officer authorized by law to administer oaths *or shall contain, or be verified by, a written declaration that they are made under the penalties of perjury. Any person who wilfully makes a report or statement required under this chapter, which is stated to be made under the penalties of perjury, and which is not true and correct as to every material matter, shall be guilty of a felony, and upon conviction thereof, shall be subject to the penalties prescribed for perjury by the Penal Code of this State.*

SEC. 2. Section 9908 of the Government Code is amended to read:

9908. (a) Any person who violates any of the provisions of the foregoing sections of this chapter, *except Section 9907*, and any person who wilfully files any document provided for in this chapter that contains any materially false statement or material omission, or any person who wilfully omits to comply with any material requirement of the foregoing sections of this chapter, shall be guilty of a misdemeanor [, and shall be punished by a fine of not more than five thousand dollars ($5,000) or imprisonment for not more than 12 months, or by both such fine and imprisonment] .

(b) Any person who is required to register pursuant to Section 9906, and who, for pay or for any consideration, attempts to influence the passage or defeat of any legislation by the Legislature of the State of California or the approval or veto of any legislation by the Governor of the State of California after a certificate of registration as legislative advocate has hereafter been denied him by both houses acting through appropriately established committees thereof, or after a certificate of registration as a legislative advocate issued to him has hereafter been suspended or revoked by both houses acting through appropriately established committees theerof, upon due notice and a hearing or an opportunity to be heard which the person did not avail himself of, is guilty of a misdemeanor. This subdivision shall not apply to any person holding a valid certificate of registration as legislative advocate issued by either house acting through an appropriately established committee thereof, subsequent to a previous denial, suspension, or revocation of a certificate.

[(b) In addition to the penalties provided for in subsection (a),] *(c) Any person convicted of a misdemeanor specified in subdivision (a) or (b) of this section shall be punished by a fine of not more than five thousand dollars ($5,000) or imprisonment for not more than 12 months, or by both such fine and imprisonment.* Any person convicted of [the] *a* misdemeanor specified [therein] *in subdivision (a) or (b) of this section* is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Legislature in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than ten thousand dollars ($10,000), or imprisonment for not more than five years, or by both such fine and imprisonment.

Amendment No. 3

On page 1 of said bill, strike out lines 2 through 27, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2301—An act to amend Sections 28116 and 28128 of the Government Code, relating to compensation for public services.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 7, 1951, after line 47, insert

"SEC. 3. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1496—An act to amend Section 737mm of the Political Code and Section 79.39 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 2

On page 1, line 11, of said bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and

3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 2162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 9 of the printed bill, as amended in the Assembly on March 28, 1951, strike out lines 5 and 6, and insert

"The petition shall be verified, and, among other things,".

Amendment No. 2

On page 10 of said bill, strike out lines 18 and 19, and insert

"Said petition shall be verified; and, in a proceeding for the recovery by the petitioner as heir, devisee, or legatee, or the successor in interest of an heir, devisee, or legatee, of money or other property received by the State from the estate of a decedent under the provisions of Article 1 of Chapter 6, such petition, among other things must state:".

Amendment No. 3

On page 10, line 25, of said bill, strike out "and", and insert "the".

Amendment No. 4

On page 11, line 24, of said bill, strike out "No"; and strike out lines 25 and 26.

Amendment No. 5

On page 21, line 1, of said bill, strike out "No disabilities other than"; and strike out lines 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3090—An act to add Article 6 to Chapter 1, Division 1, of the Streets and Highways Code, directing the State Treasurer to prepare and issue revenue bonds in the amount needed for immediate state highway construction; authorizing the Director of Finance to determine the revenues which will be available to retire such bonds; authorizing the expenditure of the proceeds raised from the sale of the bonds for the immediate construction or repair of state highways; and providing that the act shall take effect upon the adoption of a validating constitutional amendment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out line 5 of the title of the printed bill, as amended in the Assembly on May 25, 1951, and insert "creating the Highway Revenue Bond Finance Committee; providing for the issuance of".

Amendment No. 2

In line 14 of the title of said bill, after "Highways", insert "; appropriating money for the expense of preparing and of advertising the sale of such bonds and for the administration of this act".

Amendment No. 3

On page 1 of said bill, strike out lines 9 and 10, and insert

"220.01. "Committee" means the Highway Revenue Bond Finance Committee.

220.02. There is hereby created the Highway Revenue Bond Finance Committee composed of the Governor, the Director of Finance, and the Director of Public Works, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said committee.

220.03. Upon the effective date of this article the California Highway Commission and the Director of Finance shall compute the minimum amount of funds which are estimated will be made available for expenditure on state highways pursuant to the allocation made by Section 188.4, for a period of ten years after the effective date of this article The commission shall transmit such estimate to the committee. The total amount of the estimate is known as the available funds.

220.04. Upon receipt of such estimate the committee is authorized to provide for the issuance and sale of revenue bonds of the State in an amount the aggregate par value of which, together with the interest and expenses of preparing, issuing, selling, and retiring the bonds, will not exceed the estimated available funds.

220.05. The revenue bonds shall be special obligations of the State secured solely by the minimum revenues which are made available for expenditure on state highways from the State Highway Fund by apportionment under Section 188.4, and the payment of interest and principal of the bonds is secured by an exclusive charge and lien upon such revenues. Such revenues constitute a trust fund for the security and payment of the bonds and the interest thereon.

220.06. There is hereby created in the State Treasury the State Highway Revenue Fund The State Treasurer shall transfer quarterly from the State Highway Fund to the State Highway Revenue Fund the sum which would be apportioned for the minimum expenditure in counties under Section 188.4. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forthwith paid over by the State Treasurer into the State Highway Revenue Fund and must be used as provided in this article

220.07. The Department of Public Works may expend immediately such sums as are paid into the State Highway Revenue Fund from the proceeds of the sale of the bonds, for the highway purposes specified in Section 188 The department shall expend such amounts in each county according to the percentages specified in subdivisions (b) and (c) of Section 188.4.

220.08 The committee shall authorize the issuance of the bonds by resolution. The resolution shall:

(a) State the purpose for which the bonds are proposed to be issued.

(b) State the principal amount of the bonds to be issued.

(c) State the maximum rate of interest on the bonds, which shall not exceed 6 percent a year, payable annually or semi-annually.

(d) State that the bonds are revenue bonds secured exclusively as provided in Section 220.05

(e) The number of series in which the bonds are to be issued.

(f) The date the bonds are to bear.

(g) The maturity dates of the bonds, not exceeding ten years from their respective dates.

220.09 The committee may, in the resolution authorizing the issuance of the bonds, or in a separate resolution, provide for:

(a) The issuance of any bonds or a series in the form of serial bonds or sinking fund bonds with serial or term maturity

(b) The denomination of the bonds.

(c) The form of the bonds, coupon or registered

(d) The registration and conversion privileges of the bonds.

(e) The medium and place of payment

(f) The terms of redemption, with or without a premium, which shall not exceed 6 percent of the par value of the bonds.

(g) The terms and conditions upon which the bonds may be declared or become due and payable upon specified defaults

(h) The replacement of mutilated, destroyed, stolen, or lost bonds.

220.10. Whenever any bonds are to be issued pursuant to this article, the committee, from time to time, upon such terms and conditions in all respects as it approves and consistently with this article, may enter into indentures or agreements providing for the amount, form, maturities, registration, and transfer and interchange of the bonds and coupons and the terms and conditions upon which they shall be issued, sold, paid, and retired.

220.11. Any resolution authorizing bonds may provide that the bonds may recite that they are issued pursuant to this article and bonds containing such recital are conclusively deemed valid and issued in conformity with this article.

220.12. All bonds issued under this article shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the bonds shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain The bonds or coupons so signed, countersigned, endorsed, and sealed, when sold, are valid although the sale thereof be made at a date or dates upon which the officers having signed, countersigned, and endorsed said bonds or coupons, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds or coupons.

220.13. Upon receipt of the resolution of the committee authorizing the issuance of bonds, the State Treasurer shall provide for their preparation in accordance with the resolution. The bonds shall be sold by the State Treasurer to the highest bidder for cash, either at public sale or upon sealed bids. The State Treasurer shall reject any and all bids for said bonds, or any of them, which shall be below the par value of said bonds so offered plus the interest which shall have accrued thereon between the date of purchaser's payment for said bonds and the last preceding interest maturity date; and the Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as the whole of the bonds offered, or any part thereof offered, at such time and place as he may select. Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for one percent (1%) of the par value of the bonds offered for sale drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California, such deposit not to bear interest. The deposit of each unsuccessful bidder shall be returned to him immediately upon the nonacceptance of his bid, and the deposit of the successful bidder shall immediately upon the acceptance of his bid become and be the property of the State of California and be placed in the State Treasury to the credit of the State Highway Revenue Fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, or to the recovery of said deposit accompanying said bid, or to any allowance or credit by reason of such deposit unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer upon notice as provided in case of original sale.

220.14 Due notice of the time and place of sale of all bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised.

220.15 There is hereby appropriated out of the General Fund the sum of ten thousand dollars ($10,000) to the State Treasurer to pay the expenses incurred in preparing, issuing, and selling the bonds authorized by this article, and in advertising the sale thereof, or in any manner in connection therewith Out of the proceeds of the sale of the revenue bonds under this article there shall be returned to the General Fund the amount that the State Treasurer has expended for such purposes, and such amount shall revert to the unappropriated surplus in the General Fund

220.16. Pending the preparation of the definitive bonds, interim receipts or temporary bonds, exchangeable for definitive bonds may be issued in the form and with the provisions the committee determines.

220.17. In the absence of an express recital on its face that the bond or interim receipt is non-negotiable, the bond or interim receipt is a negotiable instrument.

220.18. Reference on the face of the bonds to the resolution by its date of adoption, incorporates the resolution and this chapter into the bonds and their coupons

220.19. Bonds of the same issue shall be equally secured by a lien upon such revenue without priority for number, date of bonds, of sale, of execution, or of delivery pursuant to this article.

220.20. Each taker and subsequent holder of the bonds and attached or detached coupons has recourse to all of the provisions of the resolution and of this chapter and is bound by their terms.

220.21. The bonds may be sold in installments at different times or as an entire series.

220.22. The bonds and interest or income from the bonds are exempt from taxation in this State, except from gift, inheritance, and estate taxes.

220.23. The Superintendent of Banks may investigate and ascertain the status or sufficiency as investments for savings banks in this State of any such bonds. If upon investigation it is determined in his opinion that such bonds constitute a proper investment for savings banks, he shall so certify. He may revoke any such certificate issued by him at any time in his discretion.

220.24. All bonds issued pursuant to this article which have been first certified by the Superintendent of Banks are legal investments for all trust funds, for the funds of all insurance companies, commercial and savings banks, and trust companies, and for state school funds.

220.25. Any money or funds which may by law be invested in bonds of the State, cities, counties, or school districts in the State may be invested in the bonds issued pursuant to this article.

220.26. Whenever any bonds of the State, or of any city, county, or school district in the State, may by law be used as security for the performance of any act or the deposit of any public money the bonds issued pursuant to this article may be so used.

220.27. The State Treasurer shall pay the principal and interest on said bonds when due, upon warrants drawn against the State Highway Revenue Fund by the Controller. There shall be allocated to the payment of the principal, interest and expenses of preparing, issuing, selling, and retiring such bonds, the minimum amounts which would be expended in each county pursuant to Section 188.4, until the bonds are fully retired.

220.28. Whenever the committee shall determine that any bonds issued under this article and then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available in the fund at the time proposed for such redemption, it may by resolution direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem said bonds in accordance with the provisions for redemption provided for in the resolution of the committee pursuant to which the bonds so to be called were issued.

220.29. Whenever the committee determines by resolution that for any reason any bonds which have been prepared and executed under the foregoing provisions should not be sold or issued, the State Treasurer shall cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. Upon the committee so determining by resolution, new bonds, conforming to its directions, may be prepared and executed in lieu of any bonds so canceled, and may be sold and issued in the same manner as other bonds authorized by this article.

220.30. The State Treasurer, directly or through the state fiscal agent, at New York, New York, or through a duly authorized agent, shall, upon the respective dates of maturity of all bonds issued under this article, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said bonds (other than coupons canceled because of the redemption of any of said bonds prior to maturity) or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such state fiscal agent, or other duly authorized agent, pay the same.

220.31. Upon the payment of any such bond or coupon, the State Treasurer, or such state fiscal agent, or other duly authorized agent, shall perforate the same with a suitable device in a manner to indicate such payment and the date thereof. The State Treasurer, or such state fiscal agent, or other duly authorized agent, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold.

220.32. Not less than four (4) years after the final maturity date of any particular issue of bonds, the State Treasurer, or such state fiscal agent, or other duly authorized agent, may destroy or cremate any or all bonds of such issue and any or all coupons pertaining thereto which have been previously paid or canceled as provided herein.

220.33. Whenever the committee deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, a legal opinion, other than that of the Attorney General, as to the validity of the bonds, the commission may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made from the fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose."

Amendment No. 4

Strike out all of pages 2 and 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2114—An act to add Section 41.6 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traffic commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 1 to 7, inclusive, of the title of the printed bill, and insert

"An act providing for the compensation of officers and attaches of the municipal court in a district embracing the Cities of Los Angeles and San Fernando."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1 Official reporters in the municipal court in a district embracing the Cities of Los Angeles and San Fernando, appointed as provided in Section 274c of the Code of Civil Procedure, shall be attaches of such court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of five hundred fifty dollars ($550) per month, which shall be paid from the reporters' salary fund hereinafter referred to.

The judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary, but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive twenty-two dollars ($22) per day, which shall, upon order of the court, be paid from said reporters' salary fund.

All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit the same in the reporters' salary fund.

Fees for transcription of testimony and proceedings in such court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where, by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the county treasury.

There shall be set aside from the revenue of said court, in the manner and at the times hereinafter provided, a revolving fund, to be known as the reporters' salary fund, in the amount of sixteen thousand five hundred dollars ($16,500).

At the time of each distribution of the revenue of said court to the cities and to the county, the clerk of the court shall deduct proportionately from their respective total shares thereof such sum as will, when added to the sum then remaining in said fund, if any, equal sixteen thousand five hundred dollars ($16,500), and deposit the same in said fund.

Deductions from the county's share of said revenue shall be made from that portion thereof distributable to the salary fund of the county, and deductions from the cities' shares shall be made from those portions thereof distributable to the general funds of the cities.

For the purposes of this act the "revenue" of said court is defined to include all fines, forfeitures, and fees accruing to the cities or the county, except law library fees.

In the event said reporters' salary fund shall at any time be insufficient, then the amount of such deficiency shall, upon order of the court, be paid from the general fund of the county.

The county treasurer shall be the depositary, and the county auditor the disbursing agent, for said fund.

Official reporters of such court shall be members of any retirement system which includes attaches thereof. For the purposes of such retirement system, the salary herein provided for such reporters shall be deemed their entire compensation, except that where credit is claimed for service rendered prior to the establishment of such salary, the actual compensation paid to them by the county shall be the basis for contributions for such prior service, and continuous employment in such municipal court, or a court superseded by it, prior to membership in said retirement system, shall be considered as "prior service" therein upon the payment by such reporters of the sums due, if any, under said retirement system."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County other than the district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "eight thousand four hundred dollars ($8,400)", and insert "eight thousand dollars ($8,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3448—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 6, of the printed bill, after "grounds", insert "upon which are the principal administration buildings of the campus".

Amendment No. 2

On page 1, line 8, of said bill, after the second "at", insert "the Goleta Campus only at".

Amendment No. 3

On page 1, line 13, of said bill, after "asylum", insert "(which terms shall not be construed to include a hospital)".

Amendment No. 4

On page 1, line 15, of said bill, strike out "or to be established".

Amendment No. 5

On page 1, line 17, of said bill, after "sells", strike out "gives away", and insert "at retail".

Amendment No. 6

On page 1, line 18, of said bill, after "sale", insert "at retail".

Amendment No. 7

On page 1 of said bill, between lines 22 and 23, insert

"The provisions of this section shall not apply to the sale, giving away, exposing for sale, or serving of alcoholic beverages by any licensee under the Alcoholic Beverage Control Act in any premises for which a license is issued and in effect on the effective date of this section, and the provisions of this section do not prohibit the transfer of any license from one premises to another within the prescribed area."

Amendment No. 8

On page 1, line 26, of said bill, after the third "at", insert "the Goleta Campus only at".

Amendment No. 9

On page 2 of said bill, after line 22, insert

"5. It is the intent of the Legislature in adding the words '(which terms shall not be construed to include a hospital)' merely to clarify the meaning of the section of the law and not as an alteration in the public policy or legislative intent regarding such law or to make any change in the meaning thereof."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 217, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "217", and insert "218".

Amendment No. 2

On page 2 of said bill, strike out lines 2 to 5, inclusive, and insert

"216. On the effective date of this article or as soon thereafter as the Controller may compute the amount, there shall be transferred from the General Fund of the State to the Highway Protective Right of Way Revolving Fund, 50 percent of the estimated surplus in the General Fund as of June 30, 1951, after adding thereto all estimated revenues for the 1951-1952 Fiscal Year, and deducting therefrom all appropriations payable during said year, including appropriations made by the 1951 General Session of the Legislature, such amount to be so transferred in no event, however, to exceed five million dollars ($5,000,000).

217. As of June 30, 1952, and as of each succeeding June 30th of each year, until the sum of fifty million dollars ($50,000,000), including any amounts transferred under Section 216 hereof, has been transferred, the State Controller shall transfer one-half of the surplus money in the General Fund in the State Treasury to the Highway Protective Right of Way Revolving Fund During the month of July, 1952, and of each year thereafter, the Controller shall estimate the surplus money in the General Fund as of the preceding June 30th and shall transfer ninety percent (90%) of his estimate of the sum required to be transferred as of June 30th Thereafter, when his computations are complete as to the precise amount of surplus in the General Fund as of the preceding June 30th appropriate adjustment shall be made in the amounts so credited to the Highway Protective Right of Way Revolving Fund."

Amendment No. 3

On page 2, line 30, of said bill, strike out "217", and insert "218".

Amendment No. 4

On page 2, lines 43 and 44, of said bill, strike out "net cost of such properties, after taking into account the credits above mentioned", and insert "cost of such properties, excluding expenditures for general administrative purposes".

Amendment No. 5

On page 2, line 49, of said bill, strike out "Revenue Deficiency Reserve", and insert "General".

Amendment No. 6

On page 2, lines 51 and 52, of said bill, strike out "Revenue Deficiency Reserve", and insert "General".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 7, line 7, of the printed bill, as amended in the Assembly on June 7, 1951, after the period, insert "Such condemnation of any privately owned public utility shall be authorized only upon the concurrence of said utility."

Amendment No. 2

On page 7 of said bill, between lines 38 and 39, insert

"In the event the use by the authority of any existing public street or highway necessitates the acquisition of rights of way or other rights of use, such rights shall be acquired by application by the authority to the city council, board of supervisors, or any other public corporation or agency having the control of such rights of way and no rights shall be available to the authority unless granted by the authorized local agency having jurisdiction thereof."

Amendment No. 3

On page 7, line 51, of said bill, after "highway", insert "or crossings thereof or removal of public utilities".

Amendment No. 4

On page 9, line 20, of said bill, insert

"Sec. 4.20. One of the purposes of this act is to co-ordinate any operations of the authority with the operations of any existing transit facilities, and in the operation of the major interurban system from San Fernando Valley to Long Beach the authority shall first offer to existing utilities contracts for the operation of feeder lines by buses or other facilities controlled or operated by said utilities."

Amendment No. 5

On page 14, line 3, of said bill, after the period, insert "The authority may contract loans and borrow money through the sale of bonds to the United States of America or any of its departments, agencies, or instrumentalities, upon such terms and conditions as may be agreed to and such bonds shall be subject to all other provisions of this act, except the requirment that bonds be sold on sealed proposals to the highest bidder after advertising for bids."

Amendment No. 6

On page 20, line 35, of said bill, strike out "find", and insert "fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 3112

Mr. Burkhalter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3112.

Assembly Bill No. 3450—An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Bill read second time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 261a.5 of, and to".

Amendment No. 2

In line 2 of the title of said bill, strike out "court reporters", and insert "phonographic reporters and fees payable to county clerks in connection with court proceedings".

Amendment No. 3

On page 1, line 8, of said bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "seven thousand two hundred dollars ($7,200)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 11, insert

"SEC. 2 Section 261a 5 of the Code of Civil Procedure is amended to read:

261a.5. In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the Federal Census taken in 1940, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, [a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:] *there shall be paid to the county clerk of such a county, or city and county, by each*

party, or jointly by parties appearing jointly, a fee of three dollars ($3), except that in counties, or cities and counties, having a population of more than 300,000 and less than 700,000 inhabitants, as determined by the 1950 Federal Census, the fee shall be five dollars ($5), in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822, to 26825, inclusive of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3), *or five dollars ($5) in counties, or cities and counties, having a population of more than 300,000 and less than 700,000 inhabitants, as determined by the 1950 federal census,* as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Berry, Burke, Burkhalter, Collier, George D. Collins, Connolly, Davis, Dills, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Maloney, McCarthy, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Stanley, and Mr. Speaker—33.

NOES—None.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 749—An act to amend Sections 13122 and 13144 of the Health and Safety Code, relating to the duties of the State Fire Marshal.

Bill read second time, and ordered to third reading.

Senate Bill No. 990—An act to amend Sections 12897, 12898, 12899 and 12900 of the Public Utilities Code, relating to municipal utility districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 677—An act to provide for the safety of public records, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1117—An act to add Article 4 to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, consisting of Sections 53070 and 53071, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 39—An act to amend Section 28150 of the Government Code, and Section 450 of the Education Code, relating to compensation for public services in counties of the fiftieth class

Bill read second time, and ordered to third reading.

Senate Bill No. 516—An act to add Sections 99 to 106, inclusive, to the Drainage District Act of 1903, relating to the dissolution of drainage districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 885—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Bill read second time, and ordered to third reading.

Senate Bill No. 1700—An act to amend Section 28120 of the Government Code, relating to compensation for services performed for counties of the twentieth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1823—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1632—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

Senate Bill No. 1672—An act to amend Sections 2, 5, and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read second time, and ordered to third reading.

Senate Bill No. 857—An act to amend Section 161b of the Civil Code, relating to payments or refunds made pursuant to employee benefit plans.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 28, 1951, after "plans", insert "or savings plans".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1469—An act to amend Sections 43619 and 43620 of, and to add Sections 43620.1 and 43620.2 to, the Government Code, relating to bonds for municipal improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 31, 1951, strike out "TIONS", and insert "TION".

Amendment No. 2

In line 3 of the title of said bill, after "43620 1", strike out "AND 43620.2".

Amendment No. 3

On page 1, line 5, of said bill, after "Section 43620", strike out "and Section 43620.1".

Amendment No. 4

On page 2, line 4, of said bill, strike out "10", and insert "2".

Amendment No. 5

On page 2, line 4, of said bill, after "from", insert "the date of".

Amendment No. 6

On page 2, line 5, of said bill, after "bonds", insert "and in the case of bonds".

Amendment No. 7

On page 2, line 6, of said bill, after "public", strike out "works."; and insert "works may fix a date not more than 10 years from the date of issuance for the earliest maturity of each issue or series of bonds."

Amendment No. 8

On page 2 of said bill, strike out all of lines 18 to 26, inclusive.

Amendment No. 9

On page 2, line 27, of said bill, strike out "SEC. 4. Section 43620.2", and insert "SEC. 3. Section 43620.1".

Amendment No. 10

On page 2, line 28, of said bill, strike out "43620.2.", and insert "43620.1."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1746—An act to amend Section 2070 of the Insurance Code, relating to standard form fire insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 5, 1951, strike out lines 10 to 14, inclusive, and insert "except that any policy which in addition to coverage against the peril of fire includes substantial coverage against other perils on an unspecified basis need not comply with the provisions of the standard form fire insurance policy, provided such policy with respect to the peril of fire insurance shall include provisions which are the substantial equivalent of the provisions of such standard form fire insurance policy.

SEC. 2. Nothing in this act shall in any way change the applicability of the McBride-Grunsky Insurance Regulatory Act of 1947, Chapter 9, Part 2, Division 1 of the Insurance Code, to such politices and to the coverage therein provided."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended June 8, 1951, after the period, insert "Not less than 30 days prior to the adoption of the dissolution resolution the clerk of the board of supervisors shall send notice to the last known principle place of business of the district that under the provisions of this article the board will on a specified date consider a dissolution resolution concerning the district."

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 1225—An act to amend Section 28123 of the Government Code, relating to compensation for public services in counties of the twenty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 31, 1951, after "Code", insert "and to amend Section 423 of the Education Code".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "four thousand six hundred dollars ($4,600)", and insert "five thousand dollars ($5,000)".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "five thousand five hundred dollars ($5,500)", and insert "six thousand six hundred dollars ($6,600)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, between lines 6 and 7, insert

"SEC. 2. *Section 423 of the Education Code is amended to read.*

423 The annual salary of the county superintendent of schools of a county of the twenty-third class is [four thousand eight hundred dollars ($4,800)] *six thousand three hundred dollars ($6,300)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 5

On page 2, line 7, of said bill, strike out "2", and insert "3"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1752—An act to amend Section 28133 of the Government Code, relating to compensation for public services in a county of the thirty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951, after "of", insert ", and to add Section 28160 to,".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "in a county of the thirty-third class".

Amendment No. 3

On page 2, line 27, of said bill, insert

"SEC. 3. Section 28160 is added to the Government Code, to read:

28160. The compensation provided by Sections 28101 to 28158, inclusive, of the Government Code shall be payable to incumbent officers If it is not legally competent to pay the compensation provided by these sections to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in these sections as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 543—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3,

Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247c, 1426, 1426 1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167, and 1467 to said code, relating to proceedings in criminal cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 21 of the printed bill, as amended in the Senate on April 6, 1951, strike out all of lines 3 to 8, inclusive, and insert

"1136. While the jury are kept together, either during the progress of the trial or after their retirement for deliberation, the court must direct the sheriff, marshal or constable to provide the jury with suitable and sufficient food and lodging, or other reasonable necessities In the superior, municipal and justice's courts, the expenses incurred under the provisions of this section shall be a charge against the county or city and county in which said court is held In all other courts such expenses shall be a charge against the city in which the court is held. All such expenses shall be paid on the order of the court."

Amendment No. 2

On page 27, line 28, of said bill, as amended, after "thereof", insert "or if the judgment is for imprisonment in a state prison, an abstract thereof as provided in Section 1213.5."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 6, 1951, strike out lines 10 and 11, and insert "purpose of selecting contestants for Olympic Games."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 3a to Article VI thereof, relating to advisory opinions of the Justices of the Supreme Court.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed measure, strike out ", as well as the Governor, shall have authority to", and insert "may".

Amendment No. 2

On page 1, lines 12 and 13, of said measure, strike out "Supreme Court", and insert "Judicial Council".

Amendments read, and adopted.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Senate Bill No. 1544—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 3, 1951, strike out "7.1", and insert "7.25".

Amendment No. 2

On page 1, line 1, of said bill, strike out "7.1", and insert "7.25".

Amendment No. 3

On page 1, line 20, of said bill, strike out "7.1", and insert "7.25".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Boards and Commissions.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2808, on request of Mr. Lowrey.

Assembly Bill No. 631, on request of Mr. Sherwin.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2828?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "three hundred dollars ($300)", and insert "two hundred twenty-five dollars ($225)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2828 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Davis, Dills, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, and Mr. Speaker—45.
NOES—None.

Assembly Bill No. 2828 ordered enrolled.

Assembly Bill No. 2002—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2002?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of", and insert "to".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "board of supervisors of", and insert "judge or a majority of the judges of the superior court in and for".

Amendment No. 3

On page 1, line 5, of said bill, strike out "by resolution,".

Amendment No. 4

On page 1, line 6, of said bill, strike out "board", and insert "judge or a majority of the judges".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2002 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McFall, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Mr. Speaker—44.
NOES—None.

Assembly Bill No. 2002 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 137

Mr. Burke asked for, and was granted, unanimous consent to consider the Governor's veto to Assembly Bill No. 137, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 137 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.
NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott,

Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Mr. Speaker—48.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 3245 Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 3245 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2211

Mr Tomlinson asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2211, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2211—An act to amend Sections 8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933, relating to districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2211?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933," and insert "58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3 5 of the California Airport District Act; all".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 58577 of the Government Code is amended to read:

58577. When completed the report shall be filed with the supervisory body and shall remain on file at the clerk's office for the inspection of all persons interested. *A copy of the report shall also be sent by registered mail to the State Board of Equalization at Sacramento and there it shall remain on file at the office of the secretary of the board for the inspection of all persons interested.*

SEC. 2. Section 58614 of the Government Code is amended to read:

58614. The clerk shall also give notice by first-class mail, postage prepaid, to:

(a) Each person to whom land in the proposed district is assessed in the assessment roll at the address shown on the roll or as known to the clerk.

(b) Any person who has filed with the clerk his name and address and a designation of the lands in which he has a legal or equitable interest.

(c) Each person owning taxable property assessed by the State Board of Equalization within the county or counties in which the proposed district is located, at the address shown on the board's assessment roll or such other address as may be designated in writing to the board by the owner of such property.

(d) The Secretary of the State Board of Equalization, by registered mail.

SEC. 3 Section 58615.5 is added to the Government Code, to read:

58615.5. The Secretary of the State Board of Equalization shall publish, each Friday, a list of all hearing notices received by him during the week, stating the name and nature of the district, the title of the act under which the district is being formed, and the time and place set for the hearing. The secretary shall mail such lists to all persons who file a request for them in writing.

SEC. 4. Sections 2206, 4704, 6407, 14003, 14405, and 14603 of the Health and Safety Code are repealed.

SEC. 5. Section 1184 of the Military and Veterans Code is repealed.

SEC. 6. Section 3.5 of the California Airport District Act is repealed.

SEC. 7. Section 58502 and Article 6, Chapter 2, Title 6 of the Government Code are repealed.

SEC. 8. Section 58501 of the Government Code is amended to read:

[58501. This chapter applies to all districts formed under any of the following laws:

Type of districts	Citation
Fire protection	Health and Safety Code, Chapter 1, Part 3, Division 12
Sanitary	Chapter 161 of the Statutes of 1891
Public museum	Government Code, Article 6, Chapter 5, Part 2, Division 3, Title 4
Highway lighting	Streets and Highways Code, Part 4, Division 14
Library	Education Code, Chapter 4, Division 11
Boulevard	Streets and Highways Code, Part 2, Division 16
Mosquito abatement	Health and Safety Code, Chapter 5, Division 3
Local health	Health and Safety Code, Chapter 6, Part 2, Division 1
Sanitary	Chapter 480 of the Statutes of 1919
Cemetery	Health and Safety Code, Part 4, Division 8
Sanitary	Health and Safety Code, Part 1, Division 6
County fire protection	Health and Safety Code, Chapter 2, Part 3, Division 12
County sanitation	Health and Safety Code, Chapter 3, Part 3, Division 5
Garbage disposal	Health and Safety Code, Chapter 1, Part 2, Division 5
Police protection	Health and Safety Code, Chapter 1, Part 1, Division 14
Public service	Labor Code, Chapter 3, Part 8, Division 2
Airport	Chapter 847 of the Statutes of 1929
Transportation	Chapter 880 of the Statutes of 1929
County fire protection	Health and Safety Code, Chapter 3, Part 3, Division 12
Memorial	Military and Veterans Code, Chapter 1, Division 6
Recreation	Public Resources Code, Article 2, Chapter 3, Division 5
Resort	Public Resources Code, Division 10
Union high school library	Education Code, Chapter 6, Division 11]

58501 Notwithstanding any other general or special provision of law, this chapter shall apply to all districts and proceedings except those specifically excepted by this section.

The provisions of this chapter shall not apply to any of the following:

(a) Districts created upon the taking effect of a special act of the Legislature.

(b) School districts.

(c) Districts in which all the taxes or assessments which may be imposed are subject to proceedings under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

(d) Proceedings which are excepted from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 by Sections 2806 and 2808 of the Streets and Highways Code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 through 24, inclusive; and on page 2, strike out lines 1 through 17, inclusive

Amendment No. 4

On page 1, line 13, of the printed bill, as amended in the Senate on June 4, 1951, strike out "also".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2211 by the following vote:

AYES—Davis, Kilpatrick, Morris, and Parker—4.

NOES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Moss, Porter, Rumford, Shaw, Smith, Stanley, Tomlinson, and Mr. Speaker—42.

Appointment of Committee on Conference Concerning Assembly Bill No. 2211

The Speaker announced the appointment of Messrs. Tomlinson, Stanley, and Brown as a Committee on Conference concerning Assembly Bill No. 2211.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 2712 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 2712 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Mr. Speaker—48

NOES—None.

Bill ordered transmitted to the Senate.

HOUSE RESOLUTIONS HOLD PLACES ON FILE BY UNANIMOUS CONSENT

By unanimous consent, House Resolutions Nos. 177, 29, 65, 157, 162, 167, and 161 were passed on file, and ordered to hold their places on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1980 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 1980 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3300—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2129—An act to amend Sections 20013 and 20014 of, and to add Sections 20017.75, 20038.5, 21020.75, 21290.75, 21292.75, and 21363.75 to, the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3122 Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 3122 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 3345 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3345 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1463 Hold Place on File

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 1463 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 1418—An act prescribing the constitution of municipal courts in certain judicial districts in counties or cities and counties of the first class, providing for the number of judges, officers and attaches of such courts and fixing their compensation; also providing for the appointment of such officers and attaches, their tenure of office and for the preservation of their right of civil service status and retirement benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dills, Dolwig,

Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2924—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 3, 10, 12, and 15, adding Section 10.5, and repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1541 Hold Place on File

Mr. Connolly ask for, and was granted, unanimous consent that Assembly Bill No. 1541 be passed on file, and hold its place on file on the next legislative day.

ASSEMBLY CONCURRENT RESOLUTION NO. 90 STRICKEN FROM FILE BY UNANIMOUS CONSENT

By unanimous consent, Assembly Concurrent Resolution No. 90 was ordered stricken from file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 166

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 166, passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 166

By Mr. Doyle:

House Resolution No. 166

Relative to a comprehensive study of the laws relating to sex crimes

WHEREAS, The shocking report of the sex-murder of the 10 year old girl in Orange County has re-emphasized the need for more stringent regulation of repeated violators of the laws relating to sex crimes; and

WHEREAS, There exists fundamental differences of opinion among those who are experts in the various fields concerned with the problem of sex crimes as to the scope of the problem, the manner in which it is to be met, the program to be followed to

protect the public health and safety, and the disposition of sex offenders, their treatment and rehabilitation; and

WHEREAS, There is an obvious need for more stringent enforcement, imposition of full sentences, increased punishments for such offenses, and a re-vamping of the entire system of regulation of sex-offenders, and

WHEREAS, Such a program can be accomplished only after a full and comprehensive study of all the problems relating to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judicial System and Judicial Process, or the corresponding investigating committee created at this session, is hereby authorized and directed to make a full and comprehensive study of the subject matter of this resolution and of all matters relating to the punishment of sex offenders and the applicability to such persons of the laws relating to the indeterminate sentence, probation, and the screening and surveillance of such persons, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly at the 1952 Regular Session, including in the reports its recommendations for appropriate legislation; and be it further

Resolved, That the Governor of the State of California is respectfully urged to proclaim the subject of sex crime legislation as a matter for legislation at a Special Session to run concurrently with its 1952 Regular Session, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Honorable Earl Warren, Governor of the State of California.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 3096 Hold Place on File

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 3096 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2474 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2474 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hollibaugh Kelly, Kilpatrick, Levering, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—48.

NOES—Beck, Cloyed, Davis, Hagen, Hinckley, Klocksiem, Lowrey, Luckel, and Moss—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Luckel, Burke, Shaw, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2367.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—Brady and Sherwin—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT OF VOTE OF OVER 50 WORDS BE PRINTED IN JOURNAL

Mr. Brady asked for, and was granted, unanimous consent that an explanation of vote, of over 50 words, relative to Assembly Bill No. 2367, be ordered printed in the Journal, as follows:

EXPLANATION OF VOTE ON ASSEMBLY BILL NO. 2367

My "NO" vote is based on imperfect or improper provisions contained in Sections 5 and 6 of the bill.

On May 9, 1951, I voted against Assembly Bill No. 2874 which referred to Penal Code Section 647a—just as Assembly Bill No. 2367 presently voted on refers to Penal Code Section 647a.

In both instances the age of a child is being raised from 14 years to 18 years. I must vote "NO" against such a proposal. Every parent abhors the type of person who molests or annoys little children. Our citizens properly demand strong punishment for such an offense But surely the degree of horror which the parent or citizen experiences when the child is almost 18 years is far less than when the little girl or boy is six or seven years.

Therefore, lest we harm the public conscience and ultimately bring about a situation where the protection of little children (Penal Code 647a) becomes confused with the punishment for crimes against almost mature young people in their late teens I maintain a "NO" vote is the recommended one.

Again—a "NO" vote on the bill is recommended by Section 6 of Assembly Bill No. 2367.

The extant Penal Code Section 288 provides that the terrible person found guilty of lewd and lascivious acts on the body of a child under 14 years is guilty of a felony; and such person must be imprisoned in the penitentiary for from one year to life

Therefore, a recidivist—one who is not a first offender—one who knows the penal consequences of his act—under the Penal Code must be incarcerated.

But under Assembly Bill No. 2367 any such habitual offender on the bodies of little children may ask to be castrated, and, thereby, save himself a term in San Quentin.

I am unalterably opposed to this alternative I insist it to be better that such a person be incarcerated in the penitentiary as the Penal Code Section 288 presently provides.

It must also be indicated that if this bill is a proposal to increase the imprisonment penalty on such a lewd and lascivious character in order to indirectly compel him to submit to castration then it should be noted that the making of eunuchs practically disappeared from our civilization centuries ago.

Therefore, in order to pinion the criminal who molests or annoys children, I recommend that we keep the age of a child at "14 years or under"—and to keep the evil person who commits lewd and lascivious acts on the bodies of little children I recommend that we continue to send him to prison and not permit him the choice of becoming a guinea pig and avoiding punishment for his heinous offenses.

BERNARD R BRADY

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 6, on request of Mr. Chapel.

EXPLANATION OF ABSENCE

From 10 a.m., to 11 30 a m., June 13, 1951, I was attending to legislative duties in the Senate Committee on Local Government.

WILLIAM A. MUNNELL

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of, and to add Section 34311 5 to the Government Code, relating to the incorporation and boundaries of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59

NOES—Hinckley and Kilpatrick—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3217 WAIVED

Mr. Thomas waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3217 was passed.

Assembly Bill No. 3217 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2591—An act to add Sections 7432 and 7433 to the Business and Professions Code, relating to regulation of the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2034 BE SET FOR COMMITTEE HEARING TODAY

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 2034 be set for hearing today in the Committee on Governmental Efficiency and Economy.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 251, on request of Mr. Geddes.

Assembly Bill No. 1689, on request of Mr. Kirkwood.

Assembly Bill No. 3221, on request of Mr. Sherwin.

Assembly Bill No. 3222, on request of Mr. Sherwin.

Assembly Bill No. 132, on request of Mr. Sherwin.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 196

Relative to the creation of the Assembly Interim Committee on Elections

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections, the election process, the initiative and referendum, and all facts relating to the operation and effect thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the same members as the standing Committee on Elections and Reapportionment. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules

of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000.00) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 110
Assembly Bill No. 621
Assembly Bill No. 3451

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 520

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 728
Senate Bill No. 1821

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 760
Senate Bill No. 1004
Senate Bill No. 1444

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 185
House Resolution No. 187
House Resolution No. 195

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 78
Senate Concurrent Resolution No. 90

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 93

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 42
Assembly Joint Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

RECESS

At 11.57 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 93

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 42
Assembly Joint Resolution No. 43

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1183

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3174

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2307

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2307, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2307—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2307?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "Section", and insert "Sections 208 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, between the enacting clause and line 1, insert "SECTION 1. Section 208 of the Unemployment Insurance Act is amended to read:

Sec. 208 [No individual shall be paid unemployment compensation disability benefits with respect to any week if he continues to receive his regular wages, or any part thereof, provided, however, that if such wages are less than the unemployment compensation disability benefits which would otherwise be due, he shall be entitled to receive for such week, if otherwise eligible, unemployment compensation disability benefits, reduced by the amount of such wages. Such benefit, if not a multiple of one dollar ($1), shall be computed to the next higher multiple of one dollar ($1).] *A disabled individual who is eligible to receive unemployment compensation disability benefits but for the fact that he is receiving wages or regular wages from his employer shall be paid unemployment compensation disability benefits for any day in an amount not to exceed his maximum daily amount which together with the wages or regular wages do not exceed for such day 1/7 of 70 percent of his weekly wage immediately prior to the commencement of his disability.*"

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "SECTION 1", and insert "SEC. 2."

Amendment No. 4

On page 1, line 6, of said bill, as amended, after the comma, insert "and irrespective of his receipt of remuneration from his employer,".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 13 to 21, inclusive, and insert "Where the disabled individual eligible for additional benefits during hospital confinement has first given his written consent thereto with respect to a particular claim, the additional benefits during hospital confinement payable hereunder shall be paid directly to the hospital in which he is confined in accordance with rules and regulations adopted by the commission prescribing procedure governing such payments. Any additional benefits during hospital confinement in excess of the daily rate of charge for care, including special care or treatment by a hospital, shall be paid to the disabled individual as otherwise provided in this act."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2307 by the following vote:

AYES—Doyle, Dunn, Hansen, Hollibaugh, Levering, and Smith—6.

NOES—Belotti, Berry, Caldecott, Chapel, Clarke, George D. Collins, Condon, Davis, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Tomlinson, Waters, and Mr. Speaker—36

Appointment of Committee on Conference Concerning Assembly Bill No. 2307

The Speaker announced the appointment of Messrs. Geddes, Hollibaugh, and Levering as a Committee on Conference concerning Assembly Bill No. 2307.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2598

Mr. Waters asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2598, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2598—An act to add Section 2058 to the Banking Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2598?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 11, 1951, after the first "to", insert "amend Section 1203 of and to".

Amendment No. 2

In line 3 of the title of said bill, as amended, after "company", insert "and to the deposit of assets to secure moneys payable to other states".

Amendment No. 3

On page 2 of said bill, as amended, following line 49, insert

"SEC. 2. Section 1203 of the Banking Code is amended to read:

1203. A commercial bank may hypothecate its assets in any manner provided by law to secure the deposits of moneys of the United States, of postal savings funds, of bankrupt estates, of the State of California, or of any political subdivision, public corporation, or district of the State of California *With the prior approval of the Superintendent of Banks a bank may hypothecate its assets to secure moneys payable to other states.*

SEC. 3. Section 2058 is added to the Financial Code, to read:

2058. Subject to the prior approval of the Superintendent of Banks and the affirmative vote of two-thirds of all of its directors, a bank or trust company may purchase in one transaction 100 percent of the outstanding shares of any state bank or of a national banking association, or trust company operating in this State, in accordance with a plan by which:

1. The bank whose stock has been purchased shall immediately be merged with the purchasing bank in the manner contemplated by law; or

2. The bank whose stock has been purchased, shall immediately be dissolved, its assets vested in its shareholders and its deposits and all other liabilities, including trust liabilities, shall be assumed by the acquiring bank or trust company, subject to the right of each depositor of the bank whose stock has been purchased to withdraw his deposit and of the right of trustors and beneficiaries under trusts held by such bank to nominate another trustee as in the case of the purchase and sale of the business of a bank under Section 2051 of this code.

The acquiring bank may permit directors of the bank or trust company, whose shares are so acquired, to retain their respective qualifying shares until dissolution; provided, that each such director agrees to accept the purchase price of his shares in lieu of his proportionate share of the assets upon dissolution

Upon the approval by the superintendent of the plan, he shall fix a time when the consummation of such plan shall become effective. Upon completion of the plan, the acquiring bank ipso facto and by operation of law and without further transfer, substitution, act or deed, succeeds to the rights, properties, assets, investments, deposits, demands, agreements and trusts of the bank or trust company whose stock has been purchased under all trusts, executorships, administrations, guardianships, agencies, and all other fiduciary or representative capacities to the same extent as though it had originally assumed the same and shall succeed to and be entitled to take and execute the appointment to all executorships, trusteeships, guardianships and other fiduciary and representative capacities to which the bank whose stock has been purchased may be named, or is thereafter named, in wills whenever probated or to which it is, or may be named, or appointed by any other instrument, all subject to all other provisions of this code.

Before granting the approval required by this section, the superintendent may direct the purchasing bank to continue banking facilities at the location, or locations, of the purchased bank, if, in his judgment, public convenience would require the continuation of such banking facilities. The superintendent may also impose such other terms and conditions as will, in his judgment, be considered necessary to insure the faithful carrying out of the requirements hereof

SEC 4 Section 1203 of the Financial Code is amended to read:

1203. A commercial bank may hypothecate its assets in any manner provided by law to secure the deposits of moneys of the United States, of postal savings funds, of bankrupt estates, of the State of California, or of any political subdivision, public corporation, or district of the State of California *With the prior approval of the Superintendent of Banks a bank may hypothecate its assets to secure moneys payable to other states.*

SEC. 5. Sections 3 and 4 of this act become operative only if the Financial Code is enacted by the Legislature at the 1951 General Session, and in such case at the same time as said Financial Code takes effect, at which time Sections 1 and 2 of this act are hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2598 by the following vote:

AYES—Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McFall, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—47.

NOES—None.

Assembly Bill No. 2598 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Waters, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby House Resolution No. 172 was adopted, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 343

Mr. Caldecott asked for, and was granted, unanimous consent to take up Assembly Bill No. 343, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 343

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3374

Mr. Coats asked for, and was granted, unanimous consent to take up Assembly Bill No. 3374, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3374

Assembly Bill No. 3374—An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 2.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Caldecott, Chapel, Dickey, Dills, Evans, Gaffney, Grant, Gubser, Hollibaugh, McCollister, and Tomlinson—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1463

Mr. Grant asked for, and was granted, unanimous consent to take up Assembly Bill No. 1463, passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1463

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of Municipal Court Judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 712—An act to amend Section 265 of the Probate Code, relating to notices in estates of missing persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen,

Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

Motion to Amend Title

Mr. Munnell moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 6, 1951, strike out "notices in", and insert "administration of".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 2384—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—51.

NOES—George D Collins, Condon, Evans, Grunsky, Hagen, Hansen, Luckel, Munnell, Rosenthal, and Tomlinson—10

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Section 352 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspection, and meat thereof;

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies;

Assembly Bill No. 2755—An act to amend Section 109 of the Code of Civil Procedure relating to justice courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3357—An act to amend Sections 204e and 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles;

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment;

On June 20, 1951, the Assembly requested the Governor to return Assembly Bill No. 1464 for further consideration (see page 5969).

Assembly Bill No. 1836—An act to amend Sections 1355, 1410, 1430, 1441, and 1463 of, and to add Section 1381 to, the Code of Civil Procedure, relating to the custody, management, disposal and escheat of unclaimed estates of deceased persons and various other classes of unclaimed property, to the possession of which the State is, or may become entitled;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses;

Assembly Bill No. 1001—An act to amend Sections 25 and 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts;

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.3, 10.5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 175

Mr Stanley asked for, and was granted, unanimous consent to take up Assembly Bill No. 175, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 175

Assembly Bill No. 175—An act to amend Section 4300f of the Political Code, Section 196 of the Code of Civil Procedure, and Section 28112 of the Government Code, relating to jurors' fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—Hansen and Luckel—2.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2 32 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

And appointed Senators Weybret, Brown, and Burns as a Committee on Conference to meet a like committee from the Assembly.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1633

The Speaker announced the appointment of Messrs. Grunsky, Smith, and Connolly as a Committee on Conference concerning Senate Bill No. 1633.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and as granted, unanimous consent to take up Assembly Bill No. 2712, passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2712

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

Announcement

Speaker pro Tempore Maloney announced that, until such time as the Governor signs the Budget Bill, Assembly Bill No. 500, it is agreed, by unanimous consent, that all special appropriation bills will be held on file.

Assembly Bill No. 2712 ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1991

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1991, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1991

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3183—An act to add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3291

Mr Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 3291, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3291

Assembly Bill No. 3291—An act to validate the organization of a county water district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—75.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2611, on request of Mr. George D. Collins.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 293 re-referred to the Committee on Ways and Means.

Hon. John E. Moss, Jr., Presiding

At 2.53 p.m., Hon. John E. Moss, Jr., Member of the Assembly from the Ninth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Dunn moved that Assembly Bill No. 1985 be made a special order of business for Thursday, June 14, 1951, at 2.30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

Speaker Pro Tempore Presiding

At 3.02 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Mr. Gubser announced that the bottles of "Accent" which have been placed on the desks of members have been donated through the courtesy of Mr. Ralph Shafer, President of the International Minerals and Chemical Corporation, located in San Jose, and John Knauft of the California Manufacturers Association. Mr. Gubser further announced that the Santa Clara Delegation wishes it known that "Accent" is made of monosodium glutamate, which is produced from beet sugar.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2904

Mr. Gaffney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2904, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2904

Assembly Bill No. 2904—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 11, 1951, strike out "amend Section 14632 of the Education Code, and to add Section 14633 thereto", and insert "add Section 14633 to the Education Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 14633 is added to the Education Code, to read:

14633. In addition to the retirement allowance otherwise payable under Section 14632 or Section 14639, all members retired for service or for disability prior".

Amendment No. 3

On page 2 of said bill, strike out lines 1 and 2, and insert "before the effective date of this section shall receive a retirement allowance of".

Amendment No. 4

On page 2 of said bill, strike out lines 4 to 21, inclusive.

Amendment No. 5

On page 2, line 22, of said bill, strike out "14633."

Amendment No. 6

On page 2, line 26, of said bill, strike out "subdivision (a) of Section 14632", and insert "this section".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Concurrent Resolution No. 89

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CONNOLLY, Chairman

Request for Unanimous Consent

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 89, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 89

Senate Concurrent Resolution No. 89—Relative to congratulating Dr. John W. Cline on his selection as President of the American Medical Association.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—69.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 96: By Mrs. Niehouse, Messrs. Cloyed, and Luckel—Relative to water rights to the Santa Margarita-Temecula River System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Joint Resolution No. 45: By Mr. Lanterman, Mrs. Niehouse, Messrs. Conrad, Porter, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to federal aid for child care centers.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Dunn:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Education

WHEREAS, In order to carry out its legislative function properly it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the public school system, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; and

WHEREAS, It is further essential that the Assembly be fully informed as to all matters relating to privately operated educational institutions within the scope of

legislative regulation and control or insofar as such information may be pertinent to matters relating to the Public School System; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Education for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any place within the State or within the United States.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2079—An act to amend Sections 13775, 13776, 13777, 13778, 13779, 13780, and 13781 of, and to add Sections 13782, 13783, 13784, 13785, 13786, 13787, 13788, and 13789 to, Chapter 8, Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 18, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "from the".

Amendment No. 2

On page 3, line 19, of said bill, strike "Unemployment Administration Fund or".

Amendment No. 3

On page 3, line 50, of said bill, strike "the Unemployment Administration Fund".

Amendment No. 4

On page 3, line 51, of said bill, strike "or".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Grunsky to reconsider the vote whereby Assembly Bill No. 966 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 322

Mr. Doyle asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 322, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 322—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 322?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 9, 1951, between lines 13 and 14, insert

"This section shall not apply to those vehicles exempt from registration under Section 142."

Amendment No. 2

On page 1, line 8, of the printed bill, as amended in the Senate on May 9, 1951, after "rear", insert "and sides".

Amendment No. 3

On page 1, line 10, of said bill, as amended, after "142", insert "nor to any other vehicles having an unladen weight of under 1,500 pounds".

Amendment No. 4

On page 1, line 8, of the printed bill, as amended in the Senate on May 22, 1951, strike out "and sides".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 322 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—Hagen and Luckel—2.

Assembly Bill No. 322 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE

Mr. Kirkwood asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2249, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: The Committee on Conference concerning,

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "add Section 6360 to", and insert "amend Section 6358 of".

Amendment No. 2

In line 3 of the title of said bill, before the period, insert "declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6358 of the Education Code is amended to read:

6358 [Any maximum rate of tax for any district may be increased] *Any maximum rate of tax for any district may be increased and, having been increased, may be decreased by an amount equal to or less than the amount of such increase,* by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion and shall be [called whenever a petition requesting that an election be called and signed by 10 percent of the qualified electors of the district is presented to the governing board] *called within 90 days after the filing with the governing board of a petition signed by not less than 10 percent of the qualified electors of the district, requesting that an election be called, unless the petitioners request that the election be consolidated with the annual election for members of the governing board.*

Any decrease in an increased maximum tax rate pursuant to this section shall not be in an amount which will reduce the tax rate for the district below the maximum specified in Section 6357. The governing board shall determine whether the increase or decrease shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time. If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot.

The governing board of the school district shall call, hold, and conduct the election. Except as provided in this section, the election shall be called, held, and conducted *by the governing board of the school district* in as nearly the same manner as is practicable as are elections for governing board [, except that] . Notices of the election [need not] *shall* be posted or *publication completed* [published more than] *at least* 30 days before the election. The ballot used in the election shall contain substantially the words "*shall* [for] the proposed *(* increase *decrease)* in the maximum tax rates from _____ to _____, [to provide money for the purpose of _____,] *(* such rate to be in effect in the _____ school district for the year (or years) 19____ to 19____, *) be authorized?"* [_____ yes" and "for the proposed increase in the maximum tax rates from _____ to _____, to provide money for the purpose of _____, such rate to be in effect in the _____ school district for the year (or years) 19____ to 19____, _____ no."] *Opposite such words, in separate lines, the words "yes" and "no" shall be printed, with a voting square opposite each such word* Each voter shall stamp or print a cross *in the voting square* after the answer he desires to give. *If the maximum tax rate of a district has been increased prior to the effective date of the amendment to this section at the 1951 Regular Session of the Legislature, a petition requesting an election for the decrease of such increased tax rate shall not be filed until three years after such effective date. If the maximum tax rate is increased pursuant to this section after such effective date, no petition requesting an election for a decrease in such increased tax rate shall be filed for one year after such election at which the tax rate was increased.*

If an election for a decrease in an increased maximum tax rate of a district is held in any year prior to or concurrently with the district election for governing board members, any decrease adopted at such election shall become effective on July 1 following the election. If an election for a decrease in an increased tax rate of a district is held

in any year after the date of the district election for governing board members, any decrease adopted at such election shall not become effective until July 1 of the next succeeding year."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 12, inclusive; and on page 2, strike out lines 5 to 11, inclusive.

Amendment No. 5

On page 2 of said bill, after line 17, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It will be necessary for many school districts to hold elections in the months of June, July, and August, 1951, in order to change the maximum tax rate for the district before the next tax levy is made. Under the provisions of this act, a school district may decrease its tax rate, and, if the rate is proposed to be increased, it is not necessary that the ballot question specify the purpose for which the proceeds of any increase are to be applied, nor is it necessary to limit the period of time during which such increase or decrease will be effective. Unless this act takes effect immediately any decrease or increase in the tax rate voted for pursuant to the act will not be effective in time to be used for the next tax levy. In order that school districts, the tax rates of which are a matter of urgent concern to all the people of the State, may take advantage of this act before the next tax levy is made and to avoid a year's delay, it is urgently necessary that this act take effect immediately."

DILWORTH	KIRKWOOD
HULSE	DOYLE
ED. C. JOHNSON	BURKE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, and Stewart—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1194

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1194, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1194—An act to amend Sections 2, 3, 4, 5, 8, 13, 14, 20, 30, 33, 35, and 38 of, and to add Section 3a to, the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1194?

Amendment No. 1

On page 1, line 2, of the title of the printed bill, as amended in the Assembly on April 19, 1951, after "of", insert ", and to add Section 3a to,".

Amendment No. 2

On page 2 of said bill, as amended, after line 47, insert

"SEC. 3. Section 3a is added to said act, to read:

Sec. 3a. Whenever a municipal court is established in a district wherein a justice court was previously established or in a district formed from territory formerly included in justice court districts, the justice court or courts shall cease to exist within the district for which the municipal court is established, and the term of office of the judge or judges of justice courts situated wholly within such district shall terminate, upon the selection and qualification of the first judge or judges of the municipal court, which selection shall be made in the manner provided in Section 2 of this act."

Amendment No. 3

On page 2, line 48, of said bill, as amended, strike out "3", and insert "4".

Amendment No. 4

On page 3 of said bill, as amended, strike out lines 29 to 35, inclusive, and insert "ployment as such police officer; and provided further, that".

Amendment No. 5

On page 3 of said bill, as amended, after line 38, insert

"In any city and county having a consolidated city and county government, and in any county wherein no provision has been made for a marshal of a municipal court, the sheriff of the city and county or county and his deputies shall be ex officio the marshal and deputy marshals of the municipal court and shall perform all the duties imposed and exercise all the powers conferred upon the marshal and deputy marshals of the municipal court."

Amendment No. 6

On page 3, line 39, of said bill, as amended, strike out "4", and insert "5".

Amendment No. 7

On page 4, line 22, of said bill, as amended, strike out "5", and insert "6".

Amendment No. 8

On page 5, line 4, of said bill, as amended, strike out "6", and insert "7".

Amendment No. 9

On page 5, line 19, of said bill, as amended, strike out "7", and insert "8".

Amendment No. 10

On page 6, line 4, of said bill, as amended, strike out "8", and insert "9".

Amendment No. 11

On page 6 of said bill, as amended, after line 14, insert

"All provisions of Government Code Sections 26600-26602, 26604, 26606-26609, 26611, 26660-26664, 26680-26684, 26686, and Political Code Sections 4166, 4168-9, 4171, apply to marshals and constables and govern their powers, duties and liabilities."

Amendment No. 12

On page 6, line 15, of said bill, as amended, strike out "9", and insert "10".

Amendment No. 13

On page 6, line 26, of said bill, as amended, strike out "10", and insert "11".

Amendment No. 14

On page 6, line 42, of said bill, as amended, strike out "11", and insert "12".

Amendment No. 15

On page 7, line 11, of said bill, as amended, strike out "12", and insert "13".

Amendment No. 16

On page 7 of said bill, as amended, after line 44, insert

"In computing the length of service of any person entitled to the benefits of a pension or retirement annuity as herein provided, there shall be counted the time such person may have served in a similar capacity with regard to his duties as an officer of any superseded court in said county, or that he may have served as a peace officer, as defined in such county and township peace officers' pension or retirement act in such county; provided, however, that such service must be continuous service as provided in such county or township peace officers' pension or retirement act."

Amendment No. 17

On page 3, after line 33, of the printed bill, as amended in the Senate on May 15, 1951, insert "ployment as such police officer; provided, also, that in any city or city and county having a consolidated city and county government, the sheriff of the city and county and his deputies shall be ex officio the marshal and deputy marshals of the municipal court and shall perform all the duties imposed and exercise all the powers conferred upon the marshal and deputy marshals of the municipal court; and provided further, that persons succeeding hereunder to the office of constable of a justice court shall continue in office until their successors are elected or appointed and qualify as hereafter provided."

Amendment No. 18

On page 3 of said bill, as amended, strike out lines 41 to 52, inclusive.

Amendment No. 19

On page 4 of said bill, as amended, strike out line 35, and insert

"SEC. 8. Except where hereinafter otherwise provided, judges of the municipal court and justice court".

Amendment No. 20

On page 5 of said bill, as amended, strike out line 22, and insert "tion under Sections 2, 3, and 4 of this act; and provided further, that this requirement shall not affect the right of any person to be and act as constable in any county governed by a freeholders' charter which provides that constables shall be appointed by the sheriff, or shall be ex officio deputy sheriffs."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1194 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Assembly Bill No. 1194 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to legislative investigating committees and service of subpenas, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 12, 1951

Honorable Ernest R. Geddes
Assembly Chamber

LEGISLATIVE INVESTIGATING COMMITTEES: SUBPENAS, SERVICE OF
(A. B. 954, AS AMENDED JUNE 6, 1951) No. 9618

DEAR MR. GEDDES:

Question

You ask whether Assembly Bill No. 954, as amended in the Assembly on June 6, 1951, will, if enacted, apply to subpenas issued by legislative investigating committees.

The bill proposes the addition of Section 1987.5 to the Code of Civil Procedure to provide that the service of a subpena duces tecum is invalid unless there is served along with it a copy of the affidavit upon which it was issued.

Opinion

It is our opinion that the bill will not, if enacted, apply to any service of a subpena duces tecum issued by a legislative investigating committee.

Analysis

The Section 1987.5 of the Code of Civil Procedure which would be added by Assembly Bill No. 954, as amended on June 6, 1951, reads:

> "1987.5. The service of a subpena duces tecum is invalid unless at the time of such service a copy of the affidavit upon which the subpena was issued is served on the person served with the subpena."

The second paragraph of Section 1985 of the Code of Civil Procedure provides:

> "All applications before trial for subpenas duces tecum shall be accompanied by an affidavit specifying the exact matters or things desired to be produced, and setting forth in full detail the materiality thereof to the issues involved in the case and stating that the witness has the desired matter or things in his possession or under his control."

The affidavit referred to in proposed Section 1987.5 is evidently the one mentioned in Section 1985. Moreover, since, generally speaking, a subpena duces tecum is issued only by a court clerk in a judicial proceeding (C.C.P. 1986), it would appear that the scope of Section 1987.5 is further narrowed to situations where affidavits are issued by that official. Accordingly, unless there is something to the contrary elsewhere in the law, Section 1987 5 would seem inapplicable to any service of a subpena issued by a legislative investigating committee.

Section 37 of Article IV of the State Constitution authorizes the creation by resolution of legislative fact-finding committees, and states in this connection:

> "The resolution creating any such committee may authorize it to act either during sessions of the Legislature or after final adjournment. Any such committee shall have such powers and perform such duties as may be provided by the resolution creating it and in addition shall have such powers and perform such duties as may be provided by law or by the Rules of the Legislature or either house thereof."

In Joint Rule 36 are the following provisions regarding the summoning of witnesses and the procuring of evidence by legislative investigating committees:

> "Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.
>
> "Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.
>
> "The Sergeant-at-Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that

may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee."

The chapter of the Government Code mentioned includes Sections 9400 to 9412 thereof. The more relevant of these provide, briefly:

For the issuance of subpenas by the presiding officer of each legislative house or the chairman of a committee (9400).

That a subpena is sufficient if it (a) names the legislative body before whom the proceeding involved is pending, (b) is addressed to a witness, (c) requires the attendance of the witness at a particular time and place, (d) is signed by the presiding officer or committee chairman (9402).

That the service of a subpena may be made by any person over 18 years of age (9403).

For arrest and punishment for contempt in the event of the refusal of a witness to obey a subpena or his refusal to testify (9405 to 9412).

It is our opinion that in enacting Joint Rule 36 and these Government Code provisions, the Legislature thereby intended that only they should govern the issuance of subpenas by legislative investigating committees, and that the provisions of the Code of Civil Procedure were not to apply Were this not so, the situation would be enshrouded in much uncertainty in view of various conflicting Code of Civil Procedure provisions on subpenas (*see* C. C. P. 1985.5-1997).

Also, favoring an argument against the application of Assembly Bill No. 954 to subpenas issued by legislative investigating committees is the thought that in the very nature of things it would be pointless to require an affidavit as a condition for their issuance. Since they may be issued directly by the chairman of such a committee (Joint Rule 36), that is to say, by one who virtually is a party to the proceeding involved, the requirement of an affidavit would be tantamount to a condition that one prove to oneself the necessity for issuing a subpena In the ordinary judicial proceeding, however, the court clerk is not a party litigant, and without the affidavit might otherwise have no information at all as to the materiality of the records and documents specified.

It may also be noted that under the wording of Section 1987.5, there is an assumption that there presently is some requirement for the filing of an affidavit as a condition for the issuance of a subpena. Such there is, but only as to a subpena issued in a judicial proceeding, and not as to one in a legislative inquiry. To our knowledge, there has never been any requirement for affidavits in respect to subpenas of legislative investigating committees.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Deputy

Two copies to Honorable A. I. Stewart, pursuant to Joint Rule 34.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3374

At 3.20 p.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3374 passed by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lowrey, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—42

NOES—Babbage, Belotti, Brown, Burke, Clarke, Cloyed, Collier, Connolly, Conrad, Erwin, Geddes, Grunsky, Gubser, Hansen, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—31.

Notice of Motion to Reconsider Assembly Bill No. 3374

Mr. Grunsky gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3374 was this day passed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 584, on request of Mr. Lyon.

Assembly Bill No. 1879, on request of Mr. Stewart.

Assembly Bill No. 1947, on request of Mr. Brown.

Assembly Bill No. 2631, on request of Mr. Caldecott.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 1980, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1980

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on June 6, 1951, strike out "124", and insert "144".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1848

Mr. Lindsay asked for, and was granted, unanimous consent to take up Assembly Bill No. 1848, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1848

Assembly Bill No. 1848—An act to add Section 60 to the State Water Resources Act of 1945, relative to the financing of water projects by issuance of bonds payable solely from the revenues thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Fleury, Grant, Grunsky, Gubser, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Stewart—42.

NOES—Brady, Burke, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Elliott, Evans, Gaffney, Geddes, Hagen, Henderson, Hollibaugh, Levering, Lowrey, Morris, Moss, Munnell, Thomas, and Tomlinson—22

Notice of Motion to Reconsider Assembly Bill No. 1848

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1848 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1960 BE SET FOR COMMITTEE HEARING

Mr Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 1960 be set for hearing tonight in the Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 198

Relating to an investigation of the causes and conditions leading to accidents to young children

WHEREAS, The people of the State of California have been repeatedly shocked in recent months at reading and hearing of tragic accidents which have claimed the lives of young children in our State; and

WHEREAS, It is recognized that the loss of our children by avoidable accidents is costly to the future of our society; and

WHEREAS, It is noted that the same situations leading to fatal accidents to young children recur from time to time, such as the dangerous abandonment of refrigerators and ice boxes, improper construction and supervision of children's playgrounds, and the careless use of automobiles; now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Public Health, or any Assembly or Joint interim committee which may be created with similar functions, is requested to study and make a report upon measures which may be employed to prevent or curb the causes and conditions most frequently causing accidents to young children.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, June 13, 1951

Hon Arthur A Ohnimus
Chief Clerk of the Assembly

DEAR SIR: I am directed by the Senate to respectfully request your honorable body to return Senate Bill No. 1625 to the Senate for further consideration.

Very truly yours,

J. A. BEEK
Secretary of the Senate

Message read.

Motion That Request Be Granted

Mr. Lyon moved that the above request of the Senate be granted.

Mr. Connolly seconded the motion.

Motion carried.

Senate Bill No. 1625 ordered returned to the Senate.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider Assembly Bill No. 2121 lapsed.

Assembly Bill No. 2121 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 101
House Resolution No. 168

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 190

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 151
House Resolution No. 156
House Resolution No. 176
House Resolution No. 194

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 155
House Resolution No. 197

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 180

Has had the same under consideration, and reports the same back with the recommendation: That the subject matter be referred to any interim committee created at this session to study or investigate industrial relations with the further recommendation that a subcommittee thereof be created to study said subject matter, and that the Honorable Edward M. Gaffney be chairman of said subcommitee, if serving as a member of the interim committee.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 44

Has had the same under consideration, and reports the same back with the recommendation: That the subject matter be referred to the Interim Committee on Judiciary, if and when created at this session of the Legislature.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 183

Has had the same under consideration, and reports the same back with the recommendation: That the subject matter be referred to any interim committee created at this session to study or investigate education with the further recommendation that a subcommittee thereof be created to study said subject matter, and that the Honorable Charles Edward Chapel be chairman of said subcommitee, if serving as a member of the interim committee.

DICKEY, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4:30 p.m.—

Legislative Representation, in Room 3149.

At 8 p.m.—

Education, in Room 3184.

Municipal and County Government, in Room 2170.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 3184.

Judiciary, at desk of Mr. Brown. Subject: Assembly Bill No. 1193 and Assembly Bill No. 3456.

Conservation, Planning, and Public Works, in Room 2170.

Elections and Reapportionment, in Room 435.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lawrence O. Jackson of Long Beach.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. Kuehl and Martha, George, and Albert, Jr., Kuehl of Escondido.

On request of Messrs. Hinckley and Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Roy Langford of San Bernardino.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to C. A. Thunen of Crescent City.

ADJOURNMENT

At 3.43 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Thursday, June 14, 1951.

SAM L. COLLINS, Speaker.

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIRST LEGISLATIVE DAY

ONE HUNDRED ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 14, 1951

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father in Heaven, Hallowed Be Thy Name. We seek Thy guidance for this new day and its opportunities of service

We thank you for this day set aside to honor the Flag of our beloved Country Long may this emblem wave above the land of the free and the home of the brave. Bless those who are today fighting for the preservation of these ideals.

Move into the council of the nations now attempting to establish a framework for a lasting peace among Thy people here on earth.

"The light of God is falling
Upon life's common way;
The Master's voice still calling
'Come, walk with Me today';
No duty can seem lowly
To him who lives with Thee.
And all of life grows holy,
O Christ of Galilee!"

—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Waters. further reading of the Journal of the previous legislative day was dispensed with.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Red Cross needs blood for the military war casualties, and urged all Members of the Assembly who have the time and inclination to telephone Gilbert 2-5851 for an appointment, which the Red Cross will give at any time of the day or night, for the purpose of donating blood. He further announced that cars will be sent upon request to transport donors to the Red Cross Headquarters.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1625 BE WITHDRAWN FROM COMMITTEE

Mr. Lyon asked for, and was granted, unanimous consent that Senate Bill No. 1625 be withdrawn from the Committee on Ways and Means for the purpose of returning the bill to the Senate, pursuant to a request granted yesterday to do so.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 1246

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1797

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3112

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1376
Assembly Bill No. 1980
Assembly Bill No 2079
Assembly Bill No. 2301
Assembly Bill No. 2904
Assembly Bill No. 3090
Assembly Bill No. 3326

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 622
Assembly Bill No. 842
Assembly Bill No. 1379
Assembly Bill No. 1412
Assembly Bill No. 1422
Assembly Bill No. 2107
Assembly Bill No. 2109
Assembly Bill No. 2362
Assembly Bill No. 3450

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1951, at 10 a.m.

BURKE, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1193

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 424
Senate Bill No. 501
Senate Bill No. 619
Senate Bill No. 1016
Senate Bill No. 1029
Senate Bill No. 1149
Senate Bill No. 1151
Senate Bill No. 1152
Senate Bill No. 1154
Senate Bill No. 1157
Senate Bill No. 1826
Senate Bill No. 1569
Senate Bill No. 1692

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1831

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1462

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1492

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 29

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2382
Assembly Bill No. 3193

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2330

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 213
Assembly Bill No. 305
Assembly Bill No. 384
Assembly Bill No. 417
Assembly Bill No. 465
Assembly Bill No. 519
Assembly Bill No. 543
Assembly Bill No. 997
Assembly Bill No. 1234
Assembly Bill No. 1526
Assembly Bill No 1568
Assembly Bill No. 1877
Assembly Bill No. 2327
Assembly Bill No. 2435
Assembly Bill No. 2574
Assembly Bill No. 2704
Assembly Bill No. 2874
Assembly Bill No. 3116
Assembly Bill No. 3316
Assembly Bill No. 3396

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No 66

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Ward, Hatfield, and Byrne as a Committe on Conference concerning:

Assembly Bill No. 2211—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615 5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Desmond, and Busch as a Committee on Conference concerning:

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Byrne, and Miller as a Committee on Conference concerning:

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 591	Assembly Bill No. 2042
Assembly Bill No. 626	Assembly Bill No 2081
Assembly Bill No. 879	Assembly Bill No. 2512
Assembly Bill No. 1201	Assembly Bill No. 2601
Assembly Bill No. 1392	Assembly Bill No. 2664
Assembly Bill No 1803	Assembly Bill No. 2673
Assembly Bill No. 1834	Assembly Bill No. 2688

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2249 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 256
Senate Bill No. 773
Senate Bill No. 950
Senate Bill No. 1472
Senate Bill No. 1681
Senate Bill No. 1833
Senate Bill No. 1836

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 256—An act to add Section 184.1 to the Education Code, relating to the donations, bequests, and devises to the Department of Education and to schools, colleges, and institutions under its jurisdiction.

Referred to Committee on Education.

Senate Bill No. 773—An act to amend Section 7010 of the Welfare and Institutions Code, relating to feeble-minded persons.

Referred to Committee on Social Welfare.

Senate Bill No. 950—An act to amend and renumber Section 1523.5 of the Welfare and Institutions Code, as added thereto by Chapter 709 of the Statutes of 1951, to be Section 1552.4 thereof, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1681—An act making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1833—An act to amend the heading of Article 5.1, and to add Article 5.2 to, Chapter 11, Division 2, of the Education Code; to add Section 3534 to said code; and to repeal Section 4919.2 of said code, relating to school districts.

Referred to Committee on Education.

Senate Bill No. 1836—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 80
Senate Concurrent Resolution No. 87

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 19—Relative to the creation of the Joint Committee on Un-American Activities.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 69—Relative to the creation of a Fact-Finding Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 80—Relative to the creation of the Joint Committee on Water Problems.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 87—Relative to financing of schools.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Dills:

House Resolution No. 199

Relative to the creation of the Assembly Interim Committee on Funeral Directors, Embalmers, Mortuaries, and Funeral Establishments

WHEREAS, Recent magazine articles and newspaper editorials have reported the high cost of funeral services, the existence of unethical practices by certain funeral directors, embalmers, mortuaries, and funeral establishments, and the need for closer regulation of such persons and establishments; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such persons and organizations in order that it may intelligently legislate thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Funeral Directors, Embalmers, Mortuaries, and Funeral Establishments is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the practices of funeral directors, embalmers, mortuaries, and funeral establishments, the fees charged by such persons and organizations for services rendered, and the nature and cost of such services rendered, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953

Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3452—An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3174—An act to amend Sections 3402, 3403, 3423, 3426, and 3429, and to amend and renumber Sections 3410, 3411, 3418, 3420, 3421, and 3429 of the Public Resources Code, to repeal Sections 3405, 3406, 3407, 3408, 3409, 3412, 3413, 3414, 3415, 3416, 3417, 3419, 3425, and 3428 thereof, and to add Sections 3407, 3408, 3409, 3410, 3415, 3416, 3417, 3418, 3419, 3420, and 3428 thereto, relating to oil and gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "3420, 3421, and 3429", and insert "and 3420".

Amendment No. 2

In line 6 of the title of said bill, after "3419," insert "3421, 3422,".

Amendment No. 3

On page 3 of said bill, strike out all of lines 43 to 45, inclusive.

Amendment No. 4

On page 3, line 46, of said bill, after "Monday", insert "before the first Monday".

Amendment No. 5

On page 4, line 11, of said bill, after "returns for", strike out "the".

Amendment No. 6

On page 4, line 23, of said bill, after "who", insert "on the first Monday in March".

Amendment No. 7

One page 4, lines 24 and 25, of said bill, strike out "on the first Monday in March".

Amendment No. 8

On page 4, line 48, of said bill, after "3419", insert ", 3421, and 3422".

Amendment No. 9

On page 4 of said bill, strike out all of lines 51 and 52.

Amendment No. 10

On page 5 of said bill, strike out all of lines 1 to 10, inclusive, and insert

"3411. (a) On or before June 15th the department shall furnish the Controller with a list of the persons upon whom, according to the records of the department, charges are imposed under Section 3409.

(b) The department".

Amendment No. 11

On page 5 of said bill, strike out all of lines 29 to 50, inclusive.

Amendment No. 12

On page 6 of said bill, strike out all of lines 1 to 17, inclusive.

Amendment No. 13

On page 6, line 18, of said bill, after "SEC.", strike out "15", and insert "13".

Amendment No. 14

On page 6, line 19, of said bill, after "returns", insert "filed under Section 3410".

Amendment No. 15

On page 6, lines 24 and 25, of said bill, strike out "listed in the record of estimated assessments and charges", and insert "in the list furnished under subdivision (a) of Section 3411".

Amendment No. 16

On page 6 of said bill, strike out all of lines 27 to 31, inclusive, and insert

"SEC. 14 Section 3416 is added to said code, to read:

3416 If the department determines that any amount not required to be paid under this article has been paid by any person, the department shall certify to the State Board of Control the amount paid in excess of the amount legally due and the person from whom it was collected If the State Board of Control approves, the department shall certify the amount to the Controller for credit or refund."

Amendment No. 17

On page 6, line 32, of said bill, after "SEC.", strike out "17", and insert "15"

Amendment No. 18

On page 7, line 9, of said bill, after "SEC.", strike out "18", and insert "16".

Amendment No. 19

On page 7, line 31, of said bill, after "SEC.", strike out "19", and insert "17".

Amendment No. 20

On page 7, lines 33 and 34, of said bill, strike out "petition for a redetermination", and insert a comma.

Amendment No. 21

On page 7, line 35, of said bill, strike out the period, and insert ", file a petition with the department for a redetermination."

Amendment No. 22

On page 8, line 9, of said bill, after "SEC", strike out "20", and insert "18".

Amendment No. 23

On page 8, line 10, of said bill, after "shall", insert "promptly".

Amendment No. 24

On page 8, line 11, of said bill, after "determinations", strike out "and redeterminations", and insert ", redeterminations, and petitions filed for redetermination".

Amendment No. 25

On page 8, line 16, of said bill, after "SEC.", strike out "21", and insert "19".

Amendment No. 26

On page 10, line 7, of said bill, after "SEC.", strike out "22", and insert "20".

Amendment No. 27

On page 10, line 8, of said bill, after "SEC.", strike out "23", and insert "21".

Amendment No. 28

On page 10, line 17, of said bill, after "SEC.", strike out "24", and insert "22".

Amendment No. 29

On page 10, line 18, of said bill, after "SEC.", strike out "25", and insert "23".

Amendment No. 30

On page 10, line 31, of said bill, after "SEC.", strike out "26", and insert "24".

Amendment No. 31

On page 10, line 35, of said bill, after "SEC.", strike out "27", and insert "25".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

SECOND READING OF SENATE BILLS

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1061—An act to repeal Section 1367 of the Fish and Game Code, relating to commercial hunting clubs.

Bill read second time, and ordered to third reading.

Senate Bill No. 728—An act to amend Section 2786 of, and to add Section 2708.1 to the Business and Professions Code, relating to nursing education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1821—An act to repeal Section 1628a of the Business and Professions Code, relating to examinations for admission to the practice of dentistry.

Bill read second time, and ordered to third reading.

Senate Bill No. 760—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 1004—An act to amend Section 3084 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Senate Bill No. 1444—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered to third reading.

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 18, 1951, strike out "429.6", and insert "429.8".

Amendment No. 2

On page 1, line 1, of said bill, strike out "429.6", and insert "429.8".

Amendment No. 3

On page 1, line 16, of said bill, strike out "429.6", and insert "429.8".

Amendment No. 4

On page 2, lines 4 and 5, of said bill, strike out "Gill nets of not over thirty (30) feet in greatest length, hand", and insert "Hand"

Amendment No. 5

On page 2 of said bill, strike out lines 6, 7, and 8, and insert "fish pursuant to this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 966

In compliance with a notice given on a previous day, Mr Grunsky moved that the vote whereby Assembly Bill No. 966 was passed be reconsidered.

The roll was called, and Assembly Bill No. 966 reconsidered by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Munnell, Parker, Porter, Shaw, Sherwin, Thomas, Tomlinson, Waters, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 966 ordered to third reading.

Request for Unanimous Consent That Assembly Bill No. 966 Be Re-referred to Committee

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Bill No. 966 be withdrawn from the third reading file, and be re-referred to the Committee on Transportation and Commerce

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3374 WAIVED

Mr. Grunsky waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3374 was passed.

Assembly Bill No. 3374 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 584

Mr. Lyon asked for, and was granted unanimous consent to take up Assembly Bill No. 584, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 584

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 5 and 6, and insert "sixteen thousand seven hundred and fifty dollars ($16,750)."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1020—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

ALL HOUSE RESOLUTIONS ORDERED PASSED ON FILE, TO HOLD THEIR PLACES ON FILE

By unanimous consent, all House resolutions were ordered passed on file, to hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1900 BE RE-REFERRED TO COMMITTEE

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bill No. 1900 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2212—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckell, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the right to vote.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Morris moved a call of the Assembly.

Motion carried. Time, 10.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Coats, Dickey, Erwin, Evans, Gaffney, Gubser, Hahn, Kirkwood, Lincoln, Lindsay, McGee, Rosenthal, and Rumford—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15716, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read third time.

Motion to Amend

Mr. Lipscomb moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 11, 1951, strike out "of", and insert "fixed by the board with the approval of the Department of Finance but not to exceed".

Amendment No. 2

On page 2, line 49, of said bill, after "reinvested", insert "with approval of the Board of Control".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 765 BE RE-REFERRED TO COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent that Assembly Bill No. 765 be withdrawn from the third reading file, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2693 BE RE-REFERRED TO COMMITTEE

Mr Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2693 be withdrawn from the third reading file, and be re-referred to the Committee on Finance and Insurance.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3450—An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Beck and Hagen—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3451—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Cloyed, Dolwig, Dunn, Hahn, Hollibaugh, and Rumford—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Coats asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 13

At 10.56 a.m., on motion of Mr. Morris, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 13 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Hagen, Hawkins, Henderson Kelly, Kilpatrick, Klocksiem, Lanterman, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Thomas, and Tomlinson—35.

NOES—Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Conrad, Doyle, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Levering, Lipscomb, Lowrey, Luckel, Lyon, McFall, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—31.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 842—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

ANNOUNCEMENTS

Speaker Sam L. Collins announced that Messrs. Stanley and Beck have agreed that the Assembly will recess tomorrow, Friday, June 15th, at 11 a.m., for the purpose of going into caucus and conducting necessary business attendant to nominating members from each party for election by the membership to the newly created Committee on Rules.

Speaker Sam L. Collins announced that he has been notified that Governor Warren signed the Budget Bill, Assembly Bill No. 500, at 10.45 a.m., and that bills carrying appropriations may now be considered.

Speaker Pro Tempore Presiding

At 10.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 622—An act to amend Sections 145 and 825 of the Penal Code, relating to the taking of persons arrested before a magistrate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 621

Mr. Kilpatrick asked for, and was granted unanimous consent to take up Assembly Bill No. 621, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 621

Assembly Bill No. 621—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 172

Mr. Condon asked for, and was granted, unanimous consent to take up his notice of motion to reconsider House Resolution No. 172, temporarily passed on file.

RECONSIDERATION OF HOUSE RESOLUTION NO. 172

In compliance with a notice given on a previous day, Mr. Condon moved that the vote whereby House Resolution No. 172 was adopted be reconsidered.

The roll was called, and House Resolution No. 172 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Chapel, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Doyle, Dunn, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Silliman, and Stanley—41.

NOES—Burke, Caldecott, Clarke, Cloyed, Connolly, Conrad, Crowley, Dolwig, Erwin, Evans, Geddes, Hawkins, Hollibaugh, Klocksiem, Lipscomb, Lyon, McCollister, McGee, McMillan, Morris, Niehouse, Porter, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—28.

House Resolution No. 172 ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1954

Mr. Moss asked for, and was granted unanimous consent to take up Assembly Bill No. 1954, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1954

Assembly Bill No. 1954—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood.

Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.28 a.m., Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3245

Mr. Maloney asked for, and was granted unanimous consent to take up Assembly Bill No. 3245, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3245

Assembly Bill No. 3245—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—55.

NOES—Chapel, Cloyed, Condon, Dills, Doyle, Geddes, Hansen, Hollibaugh, Kelly, Levering, Smith, Stewart, and Thomas—13.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, June 5, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: In compliance with the request contained in House Resolution No. 94, 1951 Regular Session, the attached report has been prepared by the Division of Highways relative to the necessity for installation of telephones along the Arroyo Seco Parkway.

Very truly yours,

C. H. PURCELL
Director of Public Works

Attach.

Above transmitted report ordered referred to Mr. Collier.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1422, on motion of Mr. Chapel.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 399 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Senate Bill No. 399 be withdrawn from the Committee on Revenue and

Taxation, and be re-referred to the Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1423 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dolwig asked for, and was granted, unanimous consent that Senate Bill No. 1423 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Legislative Representation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1183

Mr. Brown asked for, and was granted unanimous consent to take up Assembly Bill No. 1183, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1183

Assembly Bill No. 1183—An act to add Section 19 to the Agricultural Code, relating to claims against bonded licensees.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 17, 1951, strike out "19", and insert "1157".

Amendment No. 2

On page 1, line 1, of said bill, strike out "19", and insert "1157".

Amendment No. 3

On page 1, line 3, of said bill, strike out "19", and insert "1157".

Amendment No. 4

On page 1, line 4, of said bill, strike out "this code", and insert "Chapter 6 or Chapter 9 of this division".

Amendment No. 5

On page 1, line 18, of said bill, after "delinquent", insert "to the knowledge of the producer".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1474

Mr. Condon asked for, and was granted, unanimous consent to take up Senate Bill No. 1474, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1474

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "33279", and insert "33280".

Amendment No. 2

On page 2, line 23, of said bill, strike out "33279", and insert "33280".

Amendment No. 3

On page 2, line 25, of said bill, strike out "33279", and insert "33280".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 790

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 790, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 790

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 24, 1951, strike out "The", and insert "Whenever the enterprise furnishes facilities used for, or useful in, the collection, treatment, and disposal of waste, refuse, and garbage, or of sewage, waste, and storm water, the".

Amendment No. 2

On page 2, line 6, of said bill, strike out "provided that such lands shall be"; strike out lines 7 to 10, inclusive, and insert "provided that on or before August 15th of each year there is delivered to the auditor or other official charged with computing the local agency's general property tax levy, a list showing:

(a) Each parcel of property against which the delinquent charges and penalties are a lien.

(b) The name and address of the owner of the property as shown on the current tax assessment roll.

(c) The total amount of the charges and penalties which have accrued to the first day of July immediately preceding.

The fact that delinquent charges and penalties are a lien on land served by an enterprise shall be shown on the secured property tax roll opposite the description of the property."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3451

At 11.51 a m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3451 passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, and Thomas—41.

NOES—Babbage, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Dickey, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McGee, McMillan, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—32.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Assembly on June 13, 1951, strike out "electrical systems, substations and power lines", and insert "substations,".

Amendment No. 2

On page 5 of said bill, strike out lines 22 to 35, inclusive.

Amendment No. 3

On page 6, line 36, of said bill, strike out the comma, and insert ". No publicly owned property shall be taken, or condemnation proceedings instituted therefor, without the consent of the public agency or public corporation owning or controlling such publicly owned property, nor shall any private owned public utility be taken or condemned without consent of such utility."

Amendment No. 4

On page 6 of said bill, strike out lines 37 to 52, inclusive; and on page 7, strike out lines 1 to 37, inclusive

Amendment No. 5

On page 7, line 52, of said bill, strike out "The authority is entitled to the benefit of", and on page 8, strike out lines 1 to 5, inclusive.

Amendment No. 6

On page 9, line 52, of said bill, after "county", insert "or city".

Amendment No. 7

On page 10, line 4, of said bill, after "county", insert "or any city therein".

Amendment No. 8

On page 18 of said bill, strike out lines 8 to 48, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3428

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 92

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 92—Relative to Santa Barbara Convention of Fraternal Order of Eagles.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 3434
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 3452
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 91
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Joint Resolution No 45
And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 1496	Assembly Bill No. 3088
Assembly Bill No. 2114	Assembly Bill No 3448

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER Your Committee on Education, to which was referred:
Assembly Bill No. 1279
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3456

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3247
Assembly Bill No. 3248

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2595
Assembly Bill No. 2596

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2835
Assembly Bill No. 2836

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 905
Senate Bill No. 906

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 761
Senate Bill No. 1528

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2034
Assembly Bill No. 3011

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 927

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 487
Senate Bill No. 714
Senate Bill No. 1079

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1809

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1812

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Concurrent Resolution No. 91

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

SILLIMAN, Chairman

Above reported resolution ordered engrossed.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

RECESS

At 11.53 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ANNOUNCEMENT

Speaker Sam L. Collins announced that funeral services for Mrs. Hattie Hahn, mother of Assemblyman Hahn will be held, tomorrow, Friday, June 15th, at 1.30 p.m., at the Utter-McKinley Mortuary, 42nd Street and Broadway, Los Angeles.

LEAVES OF ABSENCE FOR THE AFTERNOON

The following members were granted leaves of absence for the afternoon, because of illness:

Mr. Brady, by unanimous consent.

Mr. Hahn, on motion of Mr. Clarke, because of the death of his mother.

The following members were granted leaves of absence for the afternoon, because of legislative business elsewhere:

Mr. Cooke, on motion of Mr. Clarke.

Mr. Rumford, on motion of Mr. Clarke.

Mr. Lipscomb, on motion of Mr. Clarke.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1379—An act providing for the constitution of the municipal court in a district embracing the City of Merced, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Davis, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—48.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1412—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Waters, and Mr. Speaker—49.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2107—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—46

NOES—Luckel—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 2109—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—49.
NOES—Beck and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2362—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to reporters for superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—51.
NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2301—An act to amend Sections 28116 and 28128 of the Government Code, relating to compensation for public services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Waters, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1496—An act to amend Section 737mm of the Political Code and Section 79.39 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—54.
NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3090—An act to add Article 6 to Chapter 1, Division 1, of the Streets and Highways Code, directing the State Treasurer to prepare and issue revenue bonds in the amount needed for immediate state highway construction; authorizing the Director of Finance to determine the revenues which will be available to retire such bonds;

authorizing the expenditure of the proceeds raised from the sale of the bonds for the immediate construction or repair of state highways; and providing that the act shall take effect upon the adoption of a validating constitutional amendment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2114—An act to add Section 41.6 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traffic commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT RULE NO. 92 BE TEMPORARILY SUSPENDED

Mr. Dunn asked for, and was granted, unanimous consent that Standing Rule No. 92 be temporarily suspended for the purpose of permitting him to read four short paragraphs from the *Oakland Tribune*, dated Thursday, June 14, 1951, entitled: "Congressmen Tired of State Resolutions."

Above mentioned article read.

Request for Unanimous Consent That Subject Matter Be Referred to the Committee on Rules

Mr. Dunn asked for, and was granted, unanimous consent that the above mentioned subject matter be ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County other than the district

embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D Collins, Connolly, Crowley, Davis, Dills, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—51.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3448—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—41.

NOES—Beck, Brown, Geddes, and Waters—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3122

Mr. Maloney asked for, and was granted unanimous consent to take up Assembly Bill No. 3122, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3122

Assembly Bill No. 3122—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof," approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted unanimous consent to take up Assembly Bill No. 3121, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3121

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1309—An act to amend Section 10 of the Public Utilities Act and Section 304 of the Public Utilities Code, relating to the commissioners, officers and employees of the Public Utilities Commission, their qualifications and salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Caldecott, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Smith, Stanley, and Thomas—44.

NOES—Beck, Burke, Cloyed, Hansen, Hollibaugh, Levering, and Luckel—7.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 39—Relative to the naturalization of alien members of the Armed Forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Crowley, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, and Thomas—49.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 42—Relative to appropriation for the Central Valley Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stanley, and Stewart—44.

NOES—Cloyed, Hansen, and Levering—3.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 97: By Mr. Burkhalter—Relative to directing the Public Utilities Commission to apportion the costs of a certain grade separation on Olive Avenue in the City of Burbank, County of Los Angeles.

Referred to Committee on Public Utilities and Corporations.

Assembly Concurrent Resolution No. 98: By Messrs. Gubser and Hagen—Relative to determination of water rights.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1625

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1625—An act to add Chapter 6 5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 63

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Belotti, Lyon, Hagen, Gaffney, Cloyed, Lindsay, Morris, Dunn, Burkhalter, Cooke, Stanley, Brown, Crowley, Moss, Doyle, Burke, Dills, McMillan, Luckel, Collier, Clarke, Evans, Elliott, Hollibaugh, Grunsky, Condon, Sam L. Collins, Porter, Coats, Maloney, Erwin, Brady, Berry, Lincoln, Rumford, Hawkins, Stewart, Grant, Rosenthal, Meyers, Thomas, Smith, Parker, and George D. Collins:

House Resolution No. 200

Relating to the completion of the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works, as created by House Resolution 212 of the 1949 Regular Session of the Legislature, has not completed its report; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Chairman of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, is hereby appointed to complete the report of the committee.

2. All documents, reports, and other data of the Legislature and any other state department or agency, relating to the subject matter of the report, shall be made available for study and use in making the report Every state officer and agency shall render such aid and assistance as is necessary for the completion of the report.

3 The subject matter of the report which applies to the organization in the Legislature in the field of research, fact-finding, planning, and programming may be printed in a separate document.

4. The sum of one dollar ($1) a week is hereby made available from the Contingent Fund of the Assembly to pay Charles M. Weber, who was chairman of such committee, for all the time which shall be required for the completion of the report.

5. The State Treasurer may accept contributions or gifts to be expended for the purpose of printing the report, and the Director of Finance is requested to authorize the report, when completed, as a state document

6. Any department, bureau, or agency of the State Government which will require the use of the material to be printed in the completed report, may share in the expenses of printing.

7. The report shall be submitted to such members of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, as are at present Members of the Legislature, for their approval, disapproval, or comment.

8 The printed reports shall be apportioned to the Legislature and to the Department of Finance for public distribution.

9. The printed reports shall be submitted to the Legislature on or before the commencement of the 1952 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Coats:

House Resolution No. 201

Relative to a study of the Purity of Elections Laws by the Assembly Interim Committee on Elections and Reapportionment

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

Speaker Pro Tempore Presiding

At 2.42 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

POINT OF ORDER

Mr. Dunn arose to the following point of order: That the hour of 2.30 p.m. has arrived, and consideration of the special order of business is now in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1985 was taken up.

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said

code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—59.

NOES—Babbage, Conrad, Hansen, Hinckley, Kirkwood, Lanterman, Levering, and Sherwin—8.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced that it is his intention to move to recess from 4 p.m. until 8 p.m. today, for the purpose of permitting the Committees on Ways and Means and Rules to hold meetings.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and was granted unanimous consent to take up Assembly Bill No. 2712, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2712

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63

NOES—Cloyed—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Hansen asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 2712, and that he be recorded as voting "Aye".

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2061, on request of Mr. Kirkwood.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2801

Mr. Dickey asked for, and was granted unanimous consent to take up Assembly Bill No. 2801, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2801

Assembly Bill No. 2801—An act providing for the allocation of the State's share of funds for the construction of a tube under the estuary between Oakland and Alameda.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2706

Mr. Dickey asked for, and was granted unanimous consent to take up Assembly Bill No. 2706, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2706

Assembly Bill No. 2706—An act to add Section 17.1 to the State Water Resources Act of 1945, authorizing the State Water Resources Board to contract with public and private organizations and persons for research work relative to the production and control of rainfall by artificial means, and making and appropriation therefor.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—60

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1519, on motion of Mr. Dickey.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2079

Mr. Fleury asked for, and was granted unanimous consent to take up Assembly Bill No. 2079, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2079

Assembly Bill No. 2079—An act to amend Sections 13775, 13776, 13777, 13778, 13779, 13780, and 13781 of, and to add Sections 13782, 13783, 13784, 13785, 13786, 13787, 13788, and 13789 to, Chapter 8, Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Neihouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Neihouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1771

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1771, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 91, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 890, 1143, 1203 02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

REGAN	BROWN
JAMES E. CUNNINGHAM	FLEURY
MILLER	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

~~The roll was called, and the report adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59
NOES—Lowrey—1.]

On June 19th, the Assembly rescinded the above action whereby the Assembly adopted the report of the Committee on Conference concerning Assembly Bill No. 1771. (See page 5925.)

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1772

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1772, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on April 13, 1951, strike out lines 11 to 35, inclusive.

Amendment No. 2

On page 3, line 36, of said bill, strike out "4", and insert "3".

Amendment No. 3

On page 3, line 49, of said bill, strike out "districts", and insert "district".

Amendment No. 4

On page 4, line 1, of said bill, strike out "5", and insert "4".

Amendment No. 5

On page 4, line 19, of said bill, strike out "6", and insert "5".

Amendment No. 6

On page 4, line 35, of said bill, strike out "7", and insert "6".

Amendment No. 7

On page 4, line 41, of said bill, strike out "8", and insert "7"

Amendment No. 8

On page 5, line 38, of said bill, strike out "9", and insert "8".

Amendment No. 9

On page 5, line 46, of said bill, strike out "10", and insert "9".

Amendment No. 10

On page 6, line 12, of said bill, strike out "11", and insert "10".

Amendment No. 11

On page 6, line 19, of said bill, strike out "12", and insert "11".

REGAN
WARD
JAMES E. CUNNINGHAM
Senate Committee on Conference

BROWN
FLEURY
MUNNELL
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Speaker Presiding

At 4.03 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1786

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1786, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 17, 1951, strike out "117g,".

Amendment No. 2

In line 3 of the title of said bill, strike out "117m," and "117r,".

Amendment No. 3

In line 4 of the title of said bill, strike out "189,".

Amendment No. 4

In line 5 of the title of said bill, strike out "413,".

Amendment No. 5

In line 7 of the title of said bill, strike out "538,".

Amendment No. 6

On page 4 of said bill, strike out lines 24 to 26, inclusive, and insert

"117. All judges of the justice court and judges of the municipal court shall exercise the jurisdiction".

Amendment No. 7

On page 7 of said bill, strike out lines 22 to 33, inclusive.

Amendment No. 8

On page 7, line 34, of said bill, strike out "18", and insert "17".

Amendment No. 9

On page 8 of said bill, strike out line 3.

Amendment No. 10

On page 8, line 27, of said bill, strike out "19", and insert "18".

Amendment No. 11

On page 8, line 38, of said bill, strike out "20", and insert "19".

Amendment No. 12

On page 8, line 43, of said bill, strike out "21", and insert "20".

Amendment No. 13

On page 9, line 7, of said bill, strike out "22", and insert "21".

Amendment No. 14

On page 10 of said bill, strike out line 20 to 44, inclusive.

Amendment No. 15

On page 10, line 45, of said bill, strike out "24", and insert "22".

Amendment No. 16

On page 11, line 1, of said bill, strike out "25", and insert "23".

Amendment No. 17

On page 11 of said bill, strike out line 14 to 36, inclusive.

Amendment No. 18

On page 11, line 37, of said bill, strike out "27", and insert "24".

Amendment No. 19

On page 11, line 40, of said bill, strike out "28", and insert "25".

Amendment No. 20

On page 11, line 42, of said bill, strike out "29", and insert "26".

Amendment No. 21

On page 12, line 24, of said bill, strike out "30", and insert "27".

Amendment No. 22

On page 12, line 40, of said bill, strike out "31", and insert "28".

Amendment No. 23

On page 13, line 1, of said bill, strike out "32", and insert "29".

Amendment No. 24

On page 13, line 44, of said bill, strike out "33", and insert "30".

Amendment No. 25

On page 14, line 1, of said bill, strike out "34", and insert "31".

Amendment No. 26

On page 14, line 7, of said bill, strike out "35", and insert "32".

Amendment No. 27

On page 14, line 13, of said bill, strike out "36", and insert "33".

Amendment No. 28

On page 14, line 24, of said bill, strike out "37", and insert "34".

Amendment No. 29

On page 14, line 28, of said bill, strike out "38", and insert "35".

Amendment No. 30

On page 14, line 41, of said bill, strike out "39", and insert "36".

Amendment No. 31

On page 14, line 17, of said bill, strike out "40", and insert "37".

Amendment No. 32

On page 18, line 27, of said bill, strike out "41", and insert "38".

Amendment No. 33

On page 18, line 32, of said bill, strike out "42", and insert "39".

Amendment No. 34

On page 18, line 42, of said bill, strike out "43", and insert "40".

Amendment No. 35

On page 19, line 1, of said bill, strike out "44", and insert "41".

Amendment No. 36

On page 19 of said bill, strike out lines 19 to 51, inclusive.

Amendment No. 37

On page 20, line 1, of said bill, strike out "46", and insert "42"

Amendment No. 38

On page 20, line 28, of said bill, strike out "47", and insert "43".

Amendment No. 39

On page 21, line 15, of said bill, strike out "48", and insert "44"

Amendment No. 40

On page 21, line 30, of said bill, strike out "49", and insert "45".

Amendment No. 41

On page 22, line 1, of said bill, strike out "50", and insert "46".

Amendment No. 42

On page 22, line 10, of said bill, strike out "51", and insert "47".

Amendment No. 43

On page 22, line 28, of said bill, strike out "52", and insert "48".

Amendment No. 44

On page 23 of said bill, strike out line 1 to 23, inclusive

Amendment No. 45

On page 23, line 24, of said bill, strike out "54", and insert "49".

Amendment No. 46

On page 23, line 45, of said bill, strike out "55", and insert "50".

Amendment No. 47

On page 24, line 28, of said bill, strike out "56", and insert "51".

Amendment No. 48

On page 25, line 1, of said bill, strike out "57", and insert "52".

Amendment No. 49

On page 25, line 10, of said bill, strike out "58", and insert "53".

Amendment No. 50

On page 26, line 13, of said bill, strike out "59", and insert "54".

Amendment No. 51

On page 26, line 46, of said bill, strike out "60", and insert "55".

Amendment No. 52

On page 27, line 1, of said bill, strike out "61", and insert "56".

Amendment No. 53

On page 27, line 14, of said bill, strike out "62", and insert "57".

Amendment No. 54

On page 27, line 29, of said bill, strike out "63", and insert "58".

Amendment No. 55

On page 27, line 34, of said bill, strike out "64", and insert "59".

Amendment No. 56

On page 27, line 38, of said bill, strike out "65", and insert "60".

Amendment No. 57

On page 27, line 49, of said bill, strike out "66", and insert "61".

Amendment No. 58

On page 28, line 25, of said bill, strike out "67", and insert "62".

Amendment No. 59

On page 28, line 34, of said bill, strike out "68", and insert "63".

Amendment No. 60

On page 28, line 49, of said bill, strike out "69", and insert "64".

Amendment No. 61

On page 29, line 8, of said bill, strike out "70", and insert "65".

Amendment No. 62

On page 29, line 21, of said bill, strike out "71", and insert "66".

Amendment No. 63

On page 29, line 30, of said bill, strike out "72", and insert "67".

Amendment No. 64

On page 29, line 36, of said bill, strike out "73", and insert "68".

Amendment No. 65

On page 29, line 47, of said bill, strike out "74", and insert "69".

Amendment No. 66

On page 30, line 4, of said bill, strike out "75", and insert "70"

Amendment No. 67

On page 30, line 15, of said bill, strike out "76", and insert "71".

Amendment No. 68

On page 30, line 26, of said bill, strike out "77", and insert "72".

Amendment No. 69

On page 30, line 39, of said bill, strike out "78", and insert "73".

Amendment No. 70

On page 31 of said bill, strike out lines 1 to 23, inclusive.

Amendment No. 71

On page 31, line 24, of said bill, strike out "80", and insert "74".

Amendment No. 72

On page 32, line 3, of said bill, strike out "81", and insert "75".

Amendment No. 73

On page 33, line 9, of said bill, strike out "82", and insert "76".

Amendment No. 74

On page 33, line 25, of said bill, strike out "83", and insert "77".

Amendment No. 75

On page 33, line 39, of said bill, strike out "84", and insert "78".

Amendment No. 76

On page 34, line 3, of said bill, strike out "85", and insert "79".

Amendment No. 77

On page 34, line 25, of said bill, strike out "86", and insert "80".

Amendment No. 78

On page 34, line 34, of said bill, strike out "87", and insert "81".

Amendment No. 79

On page 35, line 1, of said bill, strike out "88", and insert "82".

Amendment No. 80

On page 35, line 45, of said bill, strike out "89", and insert "83".

Amendment No. 81

On page 36, line 12, of said bill, strike out "90", and insert "84".

Amendment No. 82

On page 36, line 23, of said bill, strike out "91", and insert "85".

Amendment No. 83

On page 37, line 33, of said bill, strike out "92", and insert "86".

Amendment No. 84

On page 39, line 1, of said bill, strike out "93", and insert "87".

Amendment No. 85

On page 39, line 12, of said bill, strike out "94", and insert "88".

Amendment No. 86

On page 39, line 19, of said bill, strike out "95", and insert "89".

Amendment No. 87

On page 39, line 38, of said bill, strike out "96", and insert "90".

Amendment No. 88

On page 40, line 1, of said bill, strike out "97", and insert "91".

Amendment No. 89

On page 41, line 4, of said bill, strike out "98", and insert "92".

Amendment No. 90

On page 41, line 27, of said bill, strike out "99", and insert "93".

Amendment No. 91

On page 41, line 37, of said bill, strike out "100", and insert "94".

Amendment No. 92

On page 42, line 1, of said bill, strike out "101", and insert "95".

Amendment No. 93

On page 43, line 19, of said bill, strike out "102", and insert "96".

Amendment No. 94

On page 42, line 42, of said bill, strike out "103", and insert "97".

Amendment No. 95

On page 42, line 49, of said bill, strike out "104", and insert "98".

Amendment No. 96

On page 43, line 14, of said bill, strike out "105", and insert "99".

Amendment No. 97

On page 43, line 31, of said bill, strike out "106", and insert "100".

Amendment No. 98

On page 43, line 44, of said bill, strike out "107", and insert "101".

Amendment No. 99

On page 43, line 50, of said bill, strike out "clerk or judge", and insert "clerk, judge or justice".

Amendment No. 100

On page 43, line 21, of said bill, strike out "108", and insert "102".

Amendment No. 101

On page 45, line 1, of said bill, strike out "109", and insert "103".

Amendment No. 102

On page 45, line 12, of said bill, strike out "110", and insert "104"

Amendment No. 103

On page 46, line 16, of said bill, strike out "111", and insert "105".

Amendment No. 104

On page 46, line 39, of said bill, strike out "112", and insert "106".

Amendment No. 105

On page 47, line 8, of said bill, strike out "113", and insert "107".

Amendment No. 106

On page 49, line 16, of said bill, strike out "114", and insert "108".

Amendment No. 107

On page 50, line 9, of said bill, strike out "115", and insert "109".

Amendment No. 108

On page 50, line 23, of said bill, strike out "116", and insert "110".

Amendment No. 109

On page 50, line 48, of said bill, strike out "117", and insert "111".

Amendment No. 110

On page 51, line 8, of said bill, strike out "118", and insert "112"

Amendment No. 111

On page 51, line 14, of said bill, strike out "119", and insert "113".

Amendment No. 112

On page 51, line 19, of said bill, strike out "120", and insert "114".

Amendment No. 113

On page 51, line 29, of said bill, strike out "121", and insert "115".

Amendment No. 114

On page 51, line 42, of said bill, strike out "122", and insert "116".

Amendment No. 115

On page 51, line 46, of said bill, strike out "judge, or", and insert "judge".

Amendment No. 116

On page 51, line 48, of said bill, strike out "123", and insert "117".

Amendment No. 117

On page 52, line 16, of said bill, strike out "124", and insert "118".

Amendment No. 118

On page 52, line 21, of said bill, strike out "125", and insert "119".

Amendment No. 119

On page 52, line 27, of said bill, strike out "126", and insert "120".

Amendment No. 120

On page 52, line 38, of said bill, strike out "127", and insert "121".

Amendment No. 121

On page 53, line 14, of said bill, strike out "128", and insert "122".

Amendment No. 122

On page 53, line 44, of said bill, strike out "129", and insert "123".

Amendment No. 123

On page 54, line 44, of said bill, strike out "130", and insert "124".

Amendment No. 124

On page 55, line 6, of said bill, strike out "131", and insert "125".

Amendment No. 125

On page 55, line 17, of said bill, strike out "132", and insert "126".

Amendment No. 126

On page 55, line 31, of said bill, strike out "133", and insert "127".

Amendment No. 127

On page 55, line 37, of said bill, strike out "134", and insert "128".

Amendment No. 128

On page 55, line 47, of said bill, strike out "135", and insert "129".

Amendment No. 129

On page 56, line 9, of said bill, strike out "136", and insert "130".

Amendment No. 130

On page 56, line 26, of said bill, strike out "137", and insert "131".

Amendment No. 131

On page 56, line 31, of said bill, strike out "138", and insert "132".

Amendment No. 132

On page 56, line 43, of said bill, strike out "139", and insert "133".

Amendment No. 133

On page 57, line 1, of said bill, strike out "140", and insert "134".

Amendment No. 134

On page 57, line 17, of said bill, strike out "141", and insert "135".

Amendment No. 135

On page 58, line 1, of said bill, strike out "142", and insert "136".

Amendment No. 136

On page 58, line 20, of said bill, strike out "143", and insert "137".

Amendment No. 137

On page 58, line 45, of said bill, strike out "144", and insert "138".

Amendment No. 138

On page 59, line 8, of said bill, strike out "145", and insert "139".

Amendment No. 139

On page 59, line 36, of said bill, strike out "146", and insert "140".

Amendment No. 140

On page 59, line 47, of said bill, strike out "147", and insert "141".

Amendment No. 141

On page 60, line 1, of said bill, strike out "148", and insert "142".

Amendment No. 142

On page 60, line 28, of said bill, strike out "149", and insert "143".

Amendment No. 143

On page 61, line 38, of said bill, strike out "150", and insert "144".

Amendment No. 144

On page 62, line 8, of said bill, strike out "151", and insert "145".

Amendment No. 145

On page 62, line 46, of said bill, strike out "152", and insert "146".

Amendment No. 146

On page 63, line 3, of said bill, strike out "153", and insert "147".

Amendment No. 147

On page 63, line 11, of said bill, strike out "154", and insert "148".

Amendment No. 148

On page 63, line 21, of said bill, strike out "155", and insert "149".

Amendment No. 149

On page 63, line 28, of said bill, strike out "156", and insert "150".

Amendment No. 150

On page 63, line 36, of said bill, strike out "157", and insert "151".

Amendment No. 151

On page 63, line 45, of said bill, strike out "158", and insert "152".

Amendment No. 152

On page 64, line 1, of said bill, strike out "159", and insert "153".

Amendment No. 153

On page 64, line 10, of said bill, strike out "160", and insert "154".

Amendment No. 154

On page 64, line 22, of said bill, strike out "161", and insert "155".

Amendment No. 155

On page 64, line 28, of said bill, strike out "162", and insert "156".

Amendment No. 156

On page 84, line 35, of said bill, strike out "163", and insert "157".

Amendment No. 157

On page 65, line 8, of said bill, strike out "164", and insert "158".

Amendment No. 158

On page 65, line 14, of said bill, strike out "165", and insert "159".

Amendment No. 159

On page 65, line 23, of said bill, strike out "166", and insert "160".

Amendment No. 160

On page 65, line 28, of said bill, strike out "167", and insert "161".

Amendment No. 161

On page 66, line 3, of said bill, strike out "168", and insert "162".

Amendment No. 162

On page 66, line 17, of said bill, strike out "169", and insert "163".

Amendment No. 163

On page 66, line 26, of said bill, strike out "170", and insert "164".

Amendment No. 164

On page 66, line 33, of said bill, strike out "171", and insert "165".

Amendment No. 165

On page 66, line 40, of said bill, strike out "172", and insert "166".

Amendment No. 166

On page 67, line 1, of said bill, strike out "173", and insert "167".

Amendment No. 167

On page 67, line 9, of said bill, strike out "174", and insert "168".

Amendment No. 168

On page 67, line 22, of said bill, strike out "175", and insert "169".

Amendment No. 169

On page 67, line 32, of said bill, strike out "176", and insert "170".

Amendment No. 170

On page 67, line 42, of said bill, strike out "177", and insert "171".

Amendment No. 171

On page 68, line 1, of said bill, strike out "178", and insert "172".

Amendment No. 172

On page 68, line 13, of said bill, strike out "179", and insert "173".

Amendment No. 173

On page 68, line 32, of said bill, strike out "180", and insert "174".

Amendment No. 174

On page 68, line 48, of said bill, strike out "181", and insert "175".

Amendment No. 175

On page 69, line 3, of said bill, strike out "182", and insert "176".

REGAN	BROWN
WARD	FLEURY
JAMES E. CUNNINGHAM	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Lowrey—1.

MEMBER EXCUSED

At 4.04 p m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Kirkwood be excused, for the balance of the legislative day, because of legislative business elsewhere.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1848 WAIVED

Mr. Hagen waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1848 was passed.

Assembly Bill No. 1848 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1279 BE READ SECOND TIME

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 1279 be read second time, without reference to file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1279—An act to amend Sections 5081, 5082, 5084, and 5086 of, and to add Section 5066.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 5089 to the Education Code, relating to state".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5089 is added to the Education Code, to read:

5089. Notwithstanding any other provisions of this chapter to the contrary, when a school district has received a final apportionment and within the time prescribed by Section 5059 for repayment of the apportionment, such state-aided district is annexed to or otherwise included in another district, and the acquiring district is ineligible, as of the date of such annexation or inclusion, for an apportionment under this chapter, the board shall demand the return of all or a portion of the amount apportioned to and received by such state-aided district under such final apportionment, as the Director of Finance shall determine as the amount which has been expended or will be expended by the state-aided district for property or improvements to property acquired by the acquiring district. Written notice of such demand, setting forth the amount due the State, shall be furnished by the board to the governing board of the acquiring district, the county superintendent of schools, the county auditor, and the county treasurer of the county having jurisdiction over the acquiring district, and the State Controller. Upon receipt of such notice and demand, the governing board of such acquiring district shall, at the time of the next county settlement following receipt of such notice, order the county treasurer to pay to the State Treasurer out of any money in the county treasury available to the acquiring school district for that purpose, the amount set forth in such notice; provided, however, that the board may, upon the request of the governing board of the acquiring district, and after receiving a report from the State Board of Education as to the recommendations of the county committee on school district organization with respect to the annexation or other inclusion of the state-aided district in the acquiring district, specify that such amount be paid in annual installments in such amounts and for such term as the board may prescribe. Upon order of the State Controller, the amount or amounts so paid by the county treasurer pursuant to this section shall be deposited in the State Treasury to the credit of the Public School Building Loan Fund, and shall be available only for transfer to the General Fund in accordance with the provisions of, and for the purposes specified in, Section 5103.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class;

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, and 14812 of the Health and Safety Code, relating to fire protection districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1658—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures;

Assembly Bill No. 2002—An act to add Section 73g to the Code of Civil Procedure, relating to superior courts;

Assembly Bill No. 2598—An act to amend Section 1203 of, and to add Section 2058 to, the Banking Code, and to amend Section 1203 of, and to add Section 2058 to, the Financial Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company and to the deposit of assets to secure moneys payable to other states;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1951, at 4 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.06 p.m., Mr. Stanley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Municipal and County Government in Room 2170, upon adjournment tomorrow, Friday, June 15th.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Revenue and Taxation, in Room 3186.

Today Upon Recess—

Conservation, Planning, and Public Works, at desk of Mr. Silliman.
Transportation and Commerce, in Room 3184.
Ways and Means, in Room 435. Subject: All Assembly appropriation bills.
Rules, in Room 319.

Next Monday, June 18th, Upon Adjournment—

Legislative Representation, in Room 319. Subject: Senate Bill No. 1423.

It was announced that the following committee would hold no meeting tonight:

Industrial Relations.

RECESS

At 4.09 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dunn (At request of Mr. Beck):

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

Respectfully submitted.

FRANCIS DUNN, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Dunn (At request of Mr. Beck):

An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Motion carried. Time, 8.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Niehouse, Porter, Rosenthal, Silliman, Smith, Thomas, Tomlinson, and Waters—52.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 8.22 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Speaker Pro Tempore Presiding

At 8.27 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 8.46 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1818

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Concurrent Resolution No. 96

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SILLIMAN, Chairman

Above reported resolution ordered engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3112 re-referred to the Committe on Municipal and County Government.

Senate Constitutional Amendment No. 25 re-referred to the Committee on Constitutional Amendments.

Senate Bill No. 1544 re-referred to the Committee on Boards and Commissions.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 43—Relative to the construction of St. Mary's Square Underground Garage in San Francisco.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—42.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 93—Relating to observance of Flag Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—44

NOES—None.

Resolution ordered transmitted to the Senate.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 110

Mr. Lindsay asked for, and was granted unanimous consent to take up Assembly Bill No. 110, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 110

Assembly Bill No. 110—An act to amend Section 448 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the forty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1722

Mr. Stanley asked for, and was granted unanimous consent to take up Assembly Bill No. 1722, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1722

Assembly Bill No. 1722—An act to add Section 20358 to the Education Code, relating to the purchase of insurance in connection with driver training classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 835—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to the Education Code, all relating to automobile driver training in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crowley, Dickey, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Kelly, Kilpatrick, Lindsay, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—43.

NOES—Hagen, Hinckley, Levering, and Lowrey—4.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 202

Relative to memorializing Congress to enact H. R. 2681, providing a direct federal old age pension to citizens 60 years of age or over

WHEREAS, H. R 2681, now pending in the Congress, proposes to provide a direct federal old age pension at the rate of $100 per month to each citizen 60 years of age or over whose income is less than the minimum amount with respect to which a federal income tax return is required to be filed; and

WHEREAS, The purpose for which H. R 2681 is being proposed would be of great benefit to the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States, particularly the Senators and Representatives of the State of California in the National Congress, is hereby memorialized to effectuate the passage of H. R. 2681; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for transmittal to each Senator and Representative from the State of California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 99: By Messrs. George D. Collins, Hagen, and McCarthy—Relative to adding a new rule to be numbered 36.1 to the Joint Rules of the Senate and Assembly, relating to investigating committees.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 100: By Mr. Burke—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the fifth day of June, 1951.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 789

Mr. Babbage asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 789, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 24, 1951, after the period, insert "This section shall apply only to the county central com-

mittees of those parties with which more than 2,500,000 voters were registered as being affiliated for the general election of November, 1951."

JAMES E. CUNNINGHAM
SUTTON
Senate Committee on Conference

WATERS
BABBAGE
MALONEY
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—43.

NOES—Beck, Brown, Coats, Condon, Elliott, Hawkins, Lowrey, McFall, Parker, and Shaw—10.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 182
House Resolution No. 191
House Resolution No. 200
House Resolution No. 201

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 92

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 3442

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DICKEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2336—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1822

Mr. Hinckley asked for, and was granted unanimous consent to take up Senate Bill No. 1822, out of order.

CONSIDERATION OF SENATE BILL NO. 1822

Senate Bill No. 1822—An act to amend Sections 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to citrus fruits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 343

Mr. Caldecott asked for, and was granted unanimous consent to take up Assembly Bill No. 343, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 343

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Erwin, Fleury, Grunsky, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Rosenthal, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—41.

NOES—Beck, Condon, Elliott, Gaffney, Hagen, Hawkins, Levering, Lowrey, Shaw, and Smith—10.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly,

Kilpatrick, Klocksiem, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—Condon and Lowrey—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 566

Mr. Erwin asked for, and was granted unanimous consent to take up Senate Bill No. 566, out of order.

CONSIDERATION OF SENATE BILL NO. 566

Senate Bill No. 566—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 291

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 291, out of order.

CONSIDERATION OF SENATE BILL NO. 291

Senate Bill No. 291—An act to increase the statutory salaries and statutory compensation of state officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1823

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 1823, out of order.

CONSIDERATION OF SENATE BILL NO. 1823

Senate Bill No. 1823—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 304

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 304, out of order.

CONSIDERATION OF SENATE BILL NO. 304

Senate Bill No. 304—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1072

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 1072, out of order.

CONSIDERATION OF SENATE BILL NO. 1072

Senate Bill No. 1072—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 28

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Constitutional Amendment No. 28, out of order.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 28

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to appropriations of public funds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 735

Mrs. Niehouse asked for, and was granted unanimous consent to take up Senate Bill No. 735, out of order.

CONSIDERATION OF SENATE BILL NO. 735

Senate Bill No. 735—An act to amend Sections 3040, 3082, and 3473 of the Welfare and Instiutions Code, relating to aid to the needy blind and aid to partially self-supporting blind residents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 810

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Bill No. 810, out of order.

CONSIDERATION OF SENATE BILL NO. 810

Senate Bill No. 810—An act to repeal Section 2836 and to amend Section 2837 of the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 806

Mrs. Niehouse asked for, and was granted unanimous consent to take up Senate Bill No. 806, out of order.

CONSIDERATION OF SENATE BILL NO. 806

Senate Bill No. 806—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—52.

NOES—Condon, Hagen, and Maloney—3

Notice of Motion to Reconsider Senate Bill No. 806

Mr. Condon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 806 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1217

Mrs. Niehouse asked for, and was granted unanimous consent to take up Senate Bill No. 1217, out of order.

CONSIDERATION OF SENATE BILL NO. 1217

Senate Bill No. 1217—An act to amend Sections 3082 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1078

Mr. Porter asked for, and was granted unanimous consent to take up Senate Bill No. 1078, out of order.

CONSIDERATION OF SENATE BILL NO. 1078

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 749

Mr. Brown asked for, and was granted unanimous consent to take up Senate Bill No. 749, out of order.

CONSIDERATION OF SENATE BILL NO. 749

Senate Bill No. 749—An act to amend Sections 13122 and 13144 of the Health and Safety Code, relating to the duties of the State Fire Marshal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 567

Mr. Beck asked for, and was granted unanimous consent to take up Senate Bill No. 567, out of order.

CONSIDERATION OF SENATE BILL NO. 567

Senate Bill No. 567—An act to amend Sections 5050, 5081, 5082, 5083, 5084, and 5086 of, and to add Sections 5047.2, 5066.1, and 5084.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1816

Mr. Grunsky asked for, and was granted, unanimous consent to take up Senate Bill No. 1816, out of order.

CONSIDERATION OF SENATE BILL NO. 1816

Senate Bill No. 1816—An act to validate the acts and proceedings taken by or on behalf of fire protection districts in unincorporated territory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 596

Mr. Coats asked for, and was granted unanimous consent to take up Senate Bill No. 596, out of order.

CONSIDERATION OF SENATE BILL NO. 596

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read third time, and ordered passed on file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 186

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 196

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 10.05 p.m., on motion of Mr. Dunn, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Dunn to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3457: By Mr. Dunn (At request of Mr Beck)—An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 101: By Messrs. Maloney and Meyers—Relative to the Silver Wedding Anniversary of Assemblyman and Mrs. Edward M. Gaffney.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 101, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 101

Assembly Concurrent Resolution No. 101—Relative to the Silver Wedding Anniversary of Assemblyman and Mrs. Edward M. Gaffney.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 101 as Co-authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 101 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of Assembly Concurrent Resolution No. 101:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

Further Consideration of Assembly Concurrent Resolution No. 101

Assembly Concurrent Resolution No. 101: By Messrs. Maloney, Meyers, Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—Relative to the Silver Wedding Anniversary of Assemblyman and Mrs. Edward M. Gaffney.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Brown and Tomlinson:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Respectfully submitted.

RALPH M. BROWN
STANLEY T. TOMLINSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Messrs. Brown and Tomlinson:

An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3458: By Messrs. Brown and Tomlinson (At the request of Messrs Rosenthal and Smith)—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Referred to Committee on Ways and Means.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider concurrence in Senate amendments to Assembly Bill No. 546 lapsed.

Assembly Bill No. 546 ordered enrolled.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Harry Caplan, Mrs. Warren Pingree, and Mrs. Jack Denton of Palo Alto.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to David Olson of San Bruno, Lorin Larsen of Long Beach, Mildred Anderson of Washington, D. C., Gabriel Ukabu of Nigeria, British West Africa, and Steve Wilson and George Taylor of Berkeley.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Chester Robinson of Modesto.

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Senator W. J. Williams of Kearney, Nebraska.

ADJOURNMENT

At 10.19 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, June 15, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SECOND LEGISLATIVE DAY

ONE HUNDRED TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 15, 1951

The Assembly met at 9 30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, Thou who fillest the heavens and the earth with glory, we thank Thee for life with its aspirations, hopes, and privileges. Give us the impelling urge to move onward to the stature of the best manhood

Keep us true to the historic ideals of our Country—integrity, justice and unselfish service to the peoples of the world.

"Faith of our father's! living still
In spite of dungeon, fire, and sword;
O how our hearts beat high with joy
Whene'er we hear that glorious word."

In our Redeemer's name, we ask it.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hagen, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his mother:

Mr. Hahn, on motion of Mr. Munnell.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS BE READ SECOND TIME

Mr. Geddes asked for, and was granted, unanimous consent that all bills reported out of committee today, be read the second time without reference to file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 40
Senate Concurrent Resolution No. 77
Senate Concurrent Resolution No. 86

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 40—Relative to the creation of a Joint Legislative Committee to study the building program problems at the various state colleges.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 77—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 86—Relative to the creation of a Joint Fact-Finding Committee on Highways, Streets, and Bridges.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 2
Senate Bill No. 41
Senate Bill No. 305
Senate Bill No. 425
Senate Bill No. 633
Senate Bill No. 675
Senate Bill No. 776
Senate Bill No. 1010
Senate Bill No. 1302

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 425—An act to amend Section 737vv of the Political Code and 79.48 of the Code of Civil Procedure, relating to salary of judges in Solano County.

Referred to Committee on Judiciary.

Senate Bill No. 633—An act relating to Napa State Hospital and the use of money appropriated for a laundry and commissary warehouse at said institution, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 675—An act to provide for the payment to such insurance company as is designated by U. S. Atomic Energy Commission of a sum equal to the total of employer's contributions made from United States Government funds through the University of California, to the State Employees' Retirement System on account of employees at the Sandia Laboratory of the United States Atomic Energy Commission.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 776—An act to amend Section 9132 of the Public Resources Code, relating to soil conservation.

Referred to Committee on Agriculture.

Senate Bill No. 1010—An act providing that the State of California enter into a compact with the Eleven Western States and the Territories of Alaska and Hawaii, each or all, to promote the better cooperation in higher education in certain professional sciences, and to create the Western Interstate Commission for Higher Education; providing for the members of such commission for the State of California; providing for the administration of the provisions of said compact and the participation of this State therein; and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1302—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1797—An act to amend Section 8100 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8100 of the Elections", and insert "1340 of the Government".

Amendment No. 2

In line 2 of the title of said bill, strike out "elections", and insert "commissions".

Amendment No. 3

On page 1 of said bill strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 1340 of the Government Code is amended to read:

1340. The Governor shall commission:

(a) All officers elected by the people whose commissions are not otherwise provided for *except those officers to whom a certificate of election is issued by the Secretary of State*.

(b) All officers elected by the Legislature.

(c) All officers of the Militia.

(d) All officers appointed by the Governor, or by the Governor with the advice and consent of the Senate."

Amendments read, and adopted.

Consideration of Further Amendments by Unanimous Consent

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "1949," insert "and to amend Section 159 of the Code of Civil Procedure,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 22, insert

"SEC. 2. Section 159 of the Code of Civil Procedure is amended to read:

159. Every justice of the peace shall reside in the city, or judicial township, in which his court is held, and no person shall be eligible to the office of justice of the peace unless he [shall have been] *is a* citizen of the United States and a resident of the county and township in which he is to serve [for one year next preceding his election or appointment].

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1193—An act to amend Section 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 10 of the printed bill, strike out "; and provided," and insert a period.

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 11 to 13, inclusive.

Amendment No. 3

On page 1 of the printed bill, strike out all of line 4, and insert "number and compensation of the judges and the compensation of the constables of justice courts,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2382—An act to amend Section 17003, and to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the arrest of truants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 17003, and to".

Amendment No. 2

In line 3 of the title of said bill, strike out "arrest", and insert "apprehension".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive.

Amendment No. 4

On page 1, line 8, of said bill, strike out "SEC. 2", and insert "SECTION 1."

Amendment No. 5

On page 1, line 9, of said bill, strike out "said code", and insert "the Education Code".

Amendment No. 6

On page 1, line 11, of said bill, strike out "Arrest of".

Amendment No. 7

On page 1, line 15, of said bill, after "home", insert "and is not at school".

Amendment No. 8

On page 1, line 16, of said bill, strike out "placed under arrest", and insert "taken into custody".

Amendment No. 9

On page 1, line 17, of said bill, strike out "attendance supervisor", and insert "supervisor of child welfare and attendance".

Amendment No. 10

On page 1 of said bill, strike out line 18, and insert "official. Such peace officer, or supervisor of child welfare and attendance or school official may take into custody such a minor at".

Amendment No. 11

On page 1, line 19, of said bill, after "authorities", insert "and deliver such minor to the principal or supervising official in charge of the school."

Amendment No. 12

On page 1, line 20, of said bill, strike out "arresting officer, supervisor", and insert "peace officer, supervisor of child welfare and attendance, school official".

Amendment No. 13

On page 1, line 24, of said bill, strike out "excuse on five", and insert "valid excuse on six".

Amendment No. 14

On page 1, line 26, of said bill, after "17113", insert "of this code".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3193—An act to amend Section 3671 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3671", and insert "Sections 2502 and 2503".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2502 of the Education Code is amended to read:

2502 The boundaries of school districts may be changed only when at least [10] *twenty-five percent of the registered* electors, residing in the [districts affected] *territory to be transferred from one district to another district* by the proposed change of boundaries, present to the superintendent of schools a petition setting forth the changes of boundaries desired, and the reasons for the changes.

SEC. 2 Section 2503 of said code is amended to read:

2503 When a petition for a change of boundaries is presented, the county superintendent of schools shall examine the petition. If he finds it sufficient and signed as required by law, *he shall transmit a copy of the petition to the governing board of each district affected by the proposed change of boundaries.* He shall set the petition for hearing by the board of supervisors at a regular meeting of the board, *but such hearing shall be more than 60 days after receipt of copies of the petition by such governing boards*. He shall file the petition with the board of supervisors accompanied by his recommendation and a notice containing a general statement of the purpose of the petition, and of the change of boundaries, and the time and place when and where the petition will be heard."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2835—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 and 12, and insert "ferred to the Department of Finance for sale or disposition under this section or as may be otherwise authorized by law."

Amendment No. 2

On page 1, line 15, of the printed bill, strike out "desired", and insert "needed".

Amendment No. 3

On page 1 of the printed bill, strike out lines 16 to 19, inclusive, and insert "the Department of Finance determines that any such land is needed by any other state agency it may transfer the jurisdiction of such land to such other state agency upon such terms and conditions as it may deem to be for the best interests of the State."

Amendment No. 4

On page 1 of the printed bill, strike out lines 22 to 24, inclusive, and insert "is not transferred to another State agency or otherwise disposed of, and request authorization to dispose of the land by sale or otherwise"

Amendment No. 5

On page 1, line 25, of the printed bill, strike out "exchange", and insert "other disposition".

Amendment No. 6

On page 2 of the printed bill, strike out lines 1 to 3, inclusive, and insert "or otherwise dispose of the same pursuant to such authorization, upon such terms and conditions and subject to such reservations and exceptions as the Department of Finance may deem to be for the best interests of the State. The Department of Finance shall report to the Legis-".

Amendment No. 7

On page 2, line 7, of the printed bill, after "description", insert "or other identification".

Amendment No. 8

On page 2 of the printed bill, strike out lines 14 to 18, inclusive, and insert "the sale and any balance shall be paid into the General Fund"

Amendment No. 9

On page 2 of the printed bill, after line 18, insert

"Nothing contained in this section shall be construed to prohibit the sale, letting or other disposition of any State lands pursuant to any law now or hereafter enacted authorizing such sale, letting or disposition"

Amendment No. 10

On page 1, line 6, of the printed bill, strike out the parenthesis, and insert "and land which has escheated to the State or which has been distributed to the State by court decree in estates of deceased persons)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2836—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 to 16, inclusive, and insert "Works for highway purposes. Each entry shall, as to lands acquired after the effective date of this amendment, contain a description stating the area of the parcel in acres or square feet and the cost to the State of the parcel. Each state agency hereafter acquiring lands shall transmit to the commission the information necessary to make such entry."

Amendment No. 2

On page 1, line 22, of said bill, after "listing", insert ", as taken from the index or record if available,".

Amendment No. 3

On page 1, line 23, of said bill, after "date," insert "date of deed,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3456—An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert "not less than five years, and for each subsequent offense shall be imprisoned in the state prison for not less than 10 years."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2250—An act to amend Section 467 of the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "via Atlantic Boulevard".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3442—An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9142", and insert "9143".

Amendment No. 2

On page 2 of said bill, after line 11, insert

"9143. The committee shall have authority to appoint a Legislative Auditor and such other clerical and technical employees as may appear necessary, pursuant to the provisions of subsection (4) of subdivision (a) of Section 4, Article XXIV of the Constitution. The funds for the support of the committee shall be provided from the Contingent Funds of the Senate and the Assembly in the same manner that such funds are made available to other joint committees of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article XI, relating to compensation for public service.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, after the period, insert "The compensation to be received by the members of boards of supervisors of their respective counties shall be established by vote of the people in said counties. The boards of supervisors in the respective counties shall regulate the compensation of municipal court judges in said counties until such time as the Legislature provides by law for the partial or full payment of such compensation out of state funds."

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1246—An act to amend Section 2605 of the Elections Code, relating to sponsors for candidates.

Bill read second time, and ordered to third reading.

Senate Bill No. 424—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 501—An act to amend Section 407 of the Education Code, relating to county school superintendents' salaries in counties of the seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 619—An act to amend Section 737qq of the Political Code, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1016—An act to repeal the Political Code of the State of California, relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 1149—An act to amend Section 439 of the Education Code, relating to school superintendents' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1151—An act to amend Section 737tt of the Political Code and 79.46 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1152—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1154—An act to amend Section 28139 of, and to add Section 28159 to, the Government Code, relating to compensation for public services in counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1826—An act to add Section 4.2 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the disposition of rentals from such housing facilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 1569—An act to amend Section 5821 of the Streets and Highways Code, relating to county maintenance districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1692—An act to amend Section 28110 of the Government Code, relating to compensation for public services for counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1831—An act to amend Sections 2.2 and 14 of the Orange County Flood Control Act, relating to the purchase and resale of water and authorizing the levy and collection of additional taxes for such purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 487—An act to amend Sections 2007, 2009, and 2151 of the Streets and Highways Code, relating to a System of Public Streets and Highways in this State and the financial support thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 714—An act to add Sections 55.1, 55.2, and 55.3 to the State Water Resources Act of 1945, relating to the project on the Russian River for flood control and water conservation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time, and ordered to third reading.

Senate Bill No. 761—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Bill read second time, and ordered to third reading.

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of legislators and other state elective officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1157—An act to amend Section 431 of the Education Code, relating to school superintendents' salaries in counties of the thirty-first class.

Bill read second time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on May 31, 1951, strike out "eight thousand dollars ($8,000)", and insert "six thousand three hundred dollars ($6,300)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1570—An act to amend Section 34326 of, and to add Section 34333 to, the Government Code, relating to the incorporation of cities and the withdrawal of territory therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "25", and insert "75".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1462—An act to repeal Sections 3223, 4711, 4712, 4713, 4726, 4727, 4729, 5008, 8821.1, and 13043 of the Education Code; to amend Sections 1012, 1597.2, 1941, 2861, 4667, 4728, 5942, 8103, and 16813 of said code; to amend Section 672 of the Welfare and Institutions Code; and to repeal an act entitled "An act providing for the acceptance, receipt and disposition of property by the State Board of Education, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved June 25, 1945 (Chapter 1046, Statutes of 1945), all relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "2861,".

Amendment No. 2

On page 2 of said bill, strike out lines 18 to 27, inclusive.

Amendment No. 3

On page 2, line 28, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 4

On page 2, line 36, of said bill, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 5

On page 3, line 1, of said bill, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 6

On page 3, line 12, of said bill, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 7

On page 3, line 23, of said bill, strike out "SEC. 10", and insert "SEC. 9".

Amendment No. 8

On page 3, line 30, of said bill, strike out "SEC. 11", and insert "SEC. 10".

Amendment No. 9

On page 3, line 39, of said bill, strike out "SEC. 12", and insert "SEC. 11".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works.

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 8, 1951, after "county", insert "except the Santa Clara Valley Water Conservation District, the South Santa Clara Valley Water Conservation District, and the Central Santa Clara Valley Water Conservation District".

Amendment No. 2

On page 3, line 49, of said bill, after "any", insert "public district, or with any".

Amendment No. 3

On page 3, line 50, of said bill, strike out "the County of Santa Clara", and insert "any city, city and county, or county".

Amendment No. 4

On page 4, line 2, of said bill, strike out "said waters", and insert "any waters whatsoever".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 905—An act to amend Sections 1155, 1156, 1157, and 12420 of the Government Code, relating to pay roll deductions for public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, between lines 23 and 24, insert

"(c) Premiums on national service life insurance or United States Government converted insurance."

Amendment No. 2

On page 2 of said bill, after line 30, insert

"(c) Paying premiums on national service life insurance or United States Government converted insurance."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 906—An act to add Section 11011 to the Government Code, relating to contracts by state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate March 26, 1951, following line 11, insert

"This section does not apply to contracts entered into pursuant to any statute expressly requiring that such contracts be let or awarded on the basis of competitive bids. Contracts required to be let or awarded on the basis of competitive bids pursuant to any such statute may be terminated, amended, or modified only if such termination, amendment, or modification is authorized under provisions of law other than this section."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 96

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 584
Assembly Bill No 1183
Assembly Bill No. 2120
Assembly Bill No. 3112
Assembly Bill No. 3174

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1279

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2843

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2843—An act to add Section 203.3 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 203.3 to", and insert "amend Section 214 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 1, of said bill, strike out "203.3 is added to the Revenue and"; strike out lines 2 to 5, inclusive, and insert "214 of the Revenue and Taxation Code is amended to read:

214 Property used exclusively for religious, hospital, scientific, or charitable purposes owned and operated by community chests, funds, foundations or corporations organized and operated for religious, hospital, scientific, or charitable purposes is exempt from taxation if.

(1) The owner is not organized or operated for profit;

(2) No part of the net earnings of the owner inures to the benefit of any private shareholder or individual;

(3) The property is not used or operated by the owner or by any other person for profit regardless of the purposes to which the profit is devoted;

(4) The property is not used or operated by the owner or by any other person so as to benefit any officer, trustee, director, shareholder, member, employee, contributor, or bondholder of the owner or operator, or any other person, through the distribution of profits, payment of excessive charges or compensations or the more advantageous pursuit of their business or profession;

(5) The property is not used by the owner or members thereof for fraternal or lodge purposes, or for social club purposes except where such use is clearly incidental to a primary religious, hospital, scientific, or charitable purpose;

(6) The property is irrevocably dedicated to religious, charitable, scientific, or hospital purposes and upon the liquidation, dissolution or abandonment of the owner will not inure to the benefit of any private person except a fund, foundation or corporation organized and operated for religious, hospital, scientific, or charitable purposes;

(7) The property, if used exclusively for scientific purposes, is used by a foundation or institution which, in addition to complying with the foregoing requirements for the exemption of charitable organizations in general, has been chartered by the Congress of the United States, and whose objects are the encouragement or conduct of scientific investigation, research and discovery for the benefit of the community at large.

The exemption provided for herein shall be known as the "welfare exemption." This exemption shall be in addition to any other exemption now provided by law. [This section shall not be construed to enlarge the college exemption.] Property used exclusively for school purposes of less than collegiate grade, *or exclusively for purposes of both schools of and less than collegiate grade*, and owned and operated by religious, hospital or charitable funds, foundations or corporations, which property and funds, foundations or corporations meet all of the requirements of this section, shall be deemed to be within the exemption provided for in Section 1c of Article XIII of the Constitution of the State of California and this section. *This section shall not be construed to enlarge the college exemption.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 399

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on May 31, 1951, strike out ".49", and insert ".47".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out ".54", and insert ".52".

Amendment No. 3

On page 1, line 10, of the printed bill, as amended, strike out "2.07", and insert "1.99".

Amendment No. 4

On page 1, line 11, of the printed bill, as amended, strike out "1.68", and insert "1.61".

Amendment No. 5

On page 1, line 12, of the printed bill, as amended, strike out "7.01", and insert "6.72".

Amendment No. 6

On page 1 of the printed bill, as amended, between lines 12 and 13, insert "Los Angeles, ____ 4.14 percent;".

Amendment No. 7

On page 1, line 13, of the printed bill, as amended, strike out "1.05", and insert "1.00".

Amendment No. 8

On page 1, line 14, of the printed bill, as amended, strike out "6.29", and insert "6.03".

Amendment No. 9

On page 1, line 15, of the printed bill, as amended, strike out "3.40", and insert "3.26".

Amendment No. 10

On page 1, line 16, of the printed bill, as amended, strike out "8.62", and insert "8.26".

Amendment No. 11

On page 1, line 17, of the printed bill, as amended, strike out "8.69", and insert "8.33".

Amendment No. 12

On page 1, line 18, of the printed bill, as amended, strike out "13.24", and insert "12.70".

Amendment No. 13

On page 1, line 20, of the printed bill, as amended, strike out "3.43", and insert "3 29".

Amendment No. 14

On page 1, line 21, of the printed bill, as amended, strike out "11.32", and insert "10.85".

Amendment No. 15

On page 1, line 22, of the printed bill, as amended, strike out "7.01", and insert "6.72".

Amendment No. 16

On page 1, line 23, of the printed bill, as amended, strike out "17.91", and insert "17.17".

Amendment No. 17

On page 1, line 24, of the printed bill, as amended, strike out "2.20", and insert "2.10".

Amendment No. 18

On page 1, line 25, of the printed bill, as amended, strike out "5 05", and insert "4.84".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 320

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 320—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1721

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid moneys, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on June 11, 1951, after "highways", insert "on the Federal Aid Secondary System".

Amendment No. 2

On page 2, line 10, of said bill, after "1944", insert ", as amended and supplemented".

Amendment No. 3

On page 3 of said bill, strike out lines 14 to 21, inclusive, and insert

"By agreement with the Department of Public Works a county may transfer all or part of the funds apportioned to it, and in its discretion matching funds, to a federal aid secondary road project (1) in an adjoining county where the highway connects points in the two counties or (2) in a city in the same county."

Amendment No. 4

On page 3, line 45, of said bill, after "past", insert "unobligated".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1597

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1597—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Bill read second time, and ordered to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1093, on request of Mr. Brown.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments at 11 a.m., at his desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 591?

Amendment No. 1

On page 2, lines 48 and 49, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "seven hundred dollars ($700)", and insert "five hundred dollars ($500)".

Amendment No. 2

On page 3, line 3, of said bill, as amended, strike out "five hundred dollars ($500)", and insert "four hundred twenty-five dollars ($425)".

Amendment No. 3

On page 3 of said bill, as amended, strike out lines 7 and 8.

Amendment No. 4

On page 3 of said bill, as amended, strike out lines 11, 12, and 13, and insert
"Eight deputy clerks, each of whom shall receive three hundred forty-five dollars ($345) per month;".

Amendment No. 5

On page 3 of said bill, as amended, strike out lines 18, 19, and 20, and insert
"Three deputy clerks, each of whom shall receive two hundred ninety dollars ($290) per month;".

Amendment No. 6

On page 3 of said bill, as amended, strike out lines 21, 22, and 23, and insert:
"Eight deputy clerks, each of whom receive two hundred eighty dollars ($280) per month;".

Amendment No. 7

On page 3 of said bill, as amended, strike out lines 24 and 25, and insert
"Five deputy clerks, each of whom shall receive two hundred sixty dollars ($260) per month;".

Amendment No. 8

On page 3, line 29, of said bill, as amended, strike out "Nine", and insert "Eight".

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 34 to 38, inclusive, and insert "five hundred dollars ($500) per month;
(d) The marshal may appoint the following:
One assistant marshal who shall receive four hundred twenty-five dollars ($425) per month;".

Amendment No. 10

On page 3 of said bill, as amended, strike out lines 41 to 46, inclusive, and insert
"Seven deputy marshals, Grade 1, each of whom shall receive three hundred forty-five dollars ($345) per month;
Seven deputy marshals, Grade 2, each of whom shall receive three hundred thirty dollars ($330) per month;".

Amendment No. 11

On page 3, line 51, of said bill, as amended, strike out "seventy-five dollars ($275)", and insert "eighty dollars ($280)".

Amendment No. 12

On page 4, line 4, of said bill, as amended, strike out "seventy-five dollars ($275)", and insert "eighty dollars ($280)".

Amendment No. 13

Strike out lines 2 and 3 of the title of the printed bill, as amended in the Senate on May 31, 1951, and insert "1925 and to provide for the number and compensation of officers and attaches of the municipal court in a judicial district embracing the City of San Diego, relating to municipal courts."

Amendment No. 14

On page 1, line 8, of said bill, as amended, strike out "dollars ($500)", and insert "sixty dollars ($560)".

Amendment No. 15

On page 1, line 12, of said bill, as amended, strike out "twenty-five dollars ($425)", and insert "seventy-five dollars ($475)".

Amendment No. 16

On page 1, line 22, of said bill, as amended, strike out "forty-five dollars ($345)", and insert "sixty-five dollars ($365)".

Amendment No. 17

On page 1, lines 25 and 26, of said bill, as amended, strike out "two hundred ninety dollars ($290)", and insert "three hundred twenty-five dollars ($325)".

Amendment No. 18

On page 2 of said bill, as amended, strike out lines 3 and 4, and insert

"Ten deputy clerks, each of whom shall receive three hundred dollars ($300) per month;".

Amendment No. 19

On page 2, line 8, of said bill, as amended, strike out "sixty dollars ($260)", and insert "seventy-five dollars ($275)".

Amendment No. 20

On page 2, line 11, of said bill, as amended, strike out "Eight", and insert "Nine".

Amendment No. 21

On page 2, line 19, of said bill, as amended, strike out "dollars ($500)", and insert "sixty dollars ($560)".

Amendment No. 22

On page 2, line 22, of said bill, as amended, strike out "twenty-five dollars ($425)", and insert "seventy-five dollars ($475)".

Amendment No. 23

On page 2, line 30, of said bill as amended, strike out "forty-five dollars ($345)", and insert "sixty-five dollars ($365)".

Amendment No. 24

On page 2, line 32, of said bill, as amended, strike out "thirty dollars ($330)", and insert "fifty dollars ($350)".

Amendment No. 25

On page 2, line 34, of said bill, as amended, strike out "eighty dollars ($280)", and insert "seventy-five dollars ($275)".

Amendment No. 26

On page 2 of said bill, as amended, strike out line 39, and insert "seventy-five dollars ($275) per month;".

Amendment No. 27

On page 2 of said bill, as amended, after line 51, insert

"SEC. 2 The provisions of Section 9 5 of the Municipal Court Act of 1925 as amended by this act shall be applicable to the officers and attaches of the municipal court established in a judicial district embracing the City of San Diego."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 591 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 591 ordered enrolled.

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2632, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 626?

Amendment No. 1

On page 4, lines 35 and 36, of the printed bill, as amended in the Assembly on March 29, 1951, strike out "without having first surrendered his certificate of registration to the board".

Amendment No. 2

In line 1, of the title of the printed bill, as amended in the Senate on April 27, 1951, strike out "2632", and "2631".

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "2632", and insert "2631".

Amendment No. 4

On page 5, line 22, of said bill, as amended, strike out "year", and insert "years".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 626 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Elliott, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 626 ordered enrolled.

Assembly Bill No. 879—An act to add Sections 31627.1, 31629, 31671.1, 31765, and 31784 to, and to amend Sections 31527, 31552, 31553, 31554, 31555, 31557, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13, consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 879?

Amendment No. 1

Strike out lines 1 to 6, inclusive, of the title of the printed bill, as amended in the Assembly on April 30, 1951, and insert "An act to amend Sections 31552, 31553, 31602 and 31652 of and to add Section 31648.1 to the Govern-".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "31527", and insert "31552".

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 3 to 19, inclusive; and on page 2, strike out lines 1 to 2, inclusive.

Amendment No. 4

On page 2, line 10, of said bill, as amended, strike out "30", and insert "180".

Amendment No. 5

On page 2, line 11, of said bill, as amended, after "service.", insert "The rate of contribution to be based upon attained age and the employee to be permitted to make up the original contributions which he would have made during the six months waiting period in 12 equal monthly payments in the subsequent 12 months."

Amendment No. 6

On page 2, lines 15 and 16, of said bill, as amended, strike out "calendar month following the expiration of 30 days", and insert "month".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 26 to 52, inclusive; and on page 3, strike out lines 1 to 28, inclusive.

Amendment No. 8

On page 3, line 29, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 40 to 52, inclusive; and strike out all of page 4; and on page 5, strike out lines 1 to 4, inclusive.

Amendment No. 10

On page 5, line 5, of said bill, as amended, strike out "10", and insert "4".

Amendment No. 11

On page 5 of said bill, as amended, strike out lines 20 to 50, inclusive; and on page 6, strike out lines 1 to 18, inclusive, and insert

"SEC. 5. Section 31648.1 of the Government Code is added, to read:

31648.1. Any employee of the superior court who was employed by such court or by the county in which such court is established immediately and without interruption prior to his inclusion as a member of an association established pursuant to this chapter, shall be credited with prior service for his entire period of continuous employment preceding his inclusion as a member of such association provided prior to December 31, 1951, he elects to pay and does pay into the association within one year thereafter, an amount equal to the contributions he would have paid, plus regular interest thereon, if he had been a member during all the period of such employment subsequent to the establishment of such association."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 879 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 879 ordered enrolled.

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1392?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 25, 1951, strike out line 8, and insert

"SECTION 1. The municipal court established in a district embracing the City of Fresno shall be constituted, and the judges, officers, and attaches thereof shall be as herein provided and shall receive compensation, as follows:

(a) There shall be four judges, each of whom shall receive eight thousand four hundred dollars ($8,400) per annum, payable in equal monthly installments;

(b) There shall be one clerk, to be appointed by the judges of the court, in the manner provided by law, who shall be the secretary of the court, and who shall receive a minimum salary of three hundred thirteen dollars ($313) monthly, with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19), and nineteen dollars ($19), to a maximum of three hundred eighty-five dollars ($385) monthly;

(c) The clerk may appoint the following:

One assistant clerk, who shall receive a minimum salary of two hundred sixty-eight dollars ($268) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17), to a maximum of three hundred thirty dollars ($330) monthly;

One senior clerk, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

Four court clerks, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

One senior account clerk, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

One small claims clerk, who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred ninety-seven dollars ($297) monthly;

One traffic clerk, who shall receive a minimum salary of two hundred thirty dollars ($230) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred eighty-two dollars ($282) monthly;

One intermediate stenographer clerk, who shall receive a minimum salary of two hundred nineteen dollars ($219) monthly, with annual increments of eleven dollars ($11), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13), to a maximum of two hundred sixty-eight dollars ($268) monthly;

One intermediate typist clerk, who shall receive a minimum salary of two hundred eight dollars ($208) monthly, with annual increments of eleven dollars ($11), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred fifty-five dollars ($255) monthly;

One junior typist clerk, who shall receive a minimum salary of one hundred eighty-eight dollars ($188) monthly, with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and eleven dollars ($11), to a maximum of two hundred thirty dollars ($230) monthly.

SEC. 2. The functions of marshal of the municipal court shall be performed by the sheriff of the county.

SEC. 3. Upon the organization of the court, clerks, deputies, and attaches or employees of the superseded court or courts shall be assigned, as far as practical, to positions in the municipal court similar in duties and compensation to the positions held in any such superseded court, and the salaries of any such clerks, deputies, and attaches first employed upon the organization of the court may be fixed upon the lowest step of the annual increment table applicable to the position as shown hereinabove as will not reduce the salary of such employee, and any employee of said court who hereafter receives a promotion to a position have an over-lapping salary range shall be placed upon the lowest step of the new salary range which shall result in an increase in compensation.

SEC. 4. The sheriff shall charge and collect for his services rendered in the capacity of marshal the fees allowed by law to sheriffs and constables, and shall pay the same into the county treasury for the use and benefit of the county."

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 9 to 20, inclusive; and strike out all of pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1392 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—59.

NOES—Luckel—1.

Assembly Bill No. 1392 ordered enrolled.

Assembly Bill No. 1803—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1803?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 19210 of", and insert "add Section 19215 to,".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "19210 of", and insert "19215 is added to".

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "is amended".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 26, inclusive, and insert "19215. If a petition, signed by 15 or more taxpayers and residents of the area sought to be annexed, but less than the number of owners representing one fourth of the amount of assessed value of real property in that area and less than the number of owners specified in subdivision (d) of Section 19210 of this chapter, is presented to the board of supervisors, the board, if the petition for such annexation expressly requests them so to do, shall order an election within the territory sought to be annexed."

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 1 to 3, inclusive

Amendment No. 6

On page 2, line 5, of said bill, as amended, strike out "The", and insert "To the extent applicable, the".

Amendment No. 7

On page 2, line 7, of said bill, as amended, insert "If a majority of votes cast are in favor of the proposition of annexing the territory to the district, such territory shall become a part of the highway lighting district."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1803 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1803 ordered enrolled.

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1834?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 28, 1951, strike out lines 23 and 24, and insert "hearing."

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 3 of said bill, as amended, strike out lines 28 to 38, inclusive, and insert "of such hearing."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1834 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1834 ordered enrolled.

Assembly Bill No. 2042—An act to amend Sections 13¾ and 15 of the Los Angeles County Flood Control Act, relating to district works and improvements including storm drain improvements and drainage systems.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2042?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1951, after "Sections", insert "2,".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "13¾", and insert "2".

Amendment No. 3

On page 1 of said bill, as amended, between lines 2 and 3, insert

"SEC. 2. The objects and purposes of this act are to provide for the control and conservation of the flood, storm and other waste waters of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, or to save or conserve in any manner, all or any of such waters, and to protect from damage from such flood or storm waters, the harbors, waterways, public highways and property in said district.

Said Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and as such shall have power:

1 To have perpetual succession.

2. To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3. To adopt a seal and alter it at pleasure.

4. To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its power.

5. To acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, and construct, maintain and operate any and all works or improvements within or without the district necessary or proper to carry out any of the objects or purposes of this act, and to complete, extend, add to, repair or otherwise improve any works or improvements acquired by it as herein authorized.

6 To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, whether such property be already devoted to the same use by any district or other public corporation or agency or otherwise, and may condemn any existing works or improvements in said district now used to control flood or storm waters, or to conserve such flood or storm waters or to protect any property in said district from damage from such flood or storm waters.

7 To incur indebtedness, and to issue bonds in the manner herein provided.

7a. In addition to the powers given in the next preceding subsection, to borrow money from the United States of America, any agency or department thereof, or from any nonprofit corporation, organized under the laws of this State, to which the Reconstruction Finance Corporation, a corporation organized and existing under and by virtue of an act of Congress, entitled "Reconstruction Finance Corporation Act," or other agency, or department, of the United States Government, has authorized, or shall hereafter authorize, a loan to enable such nonprofit corporation to lend money to said Los Angeles County Flood Control District, for any flood control work authorized under this act, and to repay the same, in annual installments, over a period of not to exceed twenty (20) years, with interest at a rate of not to exceed four and one-fourth per

centum (4¼) per annum, payable semiannually, and, without the necessity of an election when authorized by resolution of the board of supervisors, as evidences of such indebtedness, said district is hereby authorized to execute and deliver a note, or a series of notes, or bonds, or other evidences of indebtedness, signed by the chairman of the board of supervisors of said district, which notes, bonds, or other evidences of indebtedness, shall be negotiable instruments if so declared in said resolution of the board of supervisors providing for their issuance, and said notes, bonds, or other evidences of indebtedness, may have interest coupons attached to evidence interest payments, signed by the facsimile signature of said chairman of said board All applications for such loans shall specify the particular flood control work or projects for which the funds will be expended, and when received, the money shall be deposited in a special fund, and shall be expended for those purposes only which are described and referred to in the applications. If a surplus remains after the completion of said work, such surplus shall be applied to the payment of the note, notes, bonds, or other evidences of indebtedness, executed as aforesaid, for the loan including interest coupons. The board of supervisors shall annually, levy a tax upon the taxable real property of said district, clearly sufficient to pay the interest and installments of principal, as the same shall become due and payable, under any loan made pursuant to the authority of this section, and to create and maintain a reserve fund to assure the prompt payment thereof, as may be provided by said resolution of the board of supervisors; provided, however, that the amount of taxes levied in any year, pursuant to the provisions of this subsection, shall, pro tanto, reduce the authority of the board of supervisors, during any such year, to levy taxes under Section 14 of this act, but this proviso shall not be a limitation upon the power and duty to levy and collect taxes under this subsection.

Notwithstanding anything in this subsection 7a to the contrary, the total amount which said district may borrow under the authority of any or all of the provisions of this subsection is limited to and shall not exceed in the aggregate the sum of four million five hundred thousand dollars ($4,500,000).

7b. The power granted in the next preceding subsection is hereby extended to authorize the issuance and sale of bonds or other evidences of indebtedness of said district to the County of Los Angeles and the purchase thereof by said county in accordance with "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town or municipal utility district or flood control district," approved April 23, 1913, as amended; all subject to the provisions and limitations of the next preceding subsection relative to the disposition and use of funds, interest rate, period of repayment, tax rate and mode of issuance. The total amount of bonds or other evidence of indebtedness, in the aggregate, which the district may issue and sell under the authority of subsection 7a and of this subsection is limited to and shall not exceed four million five hundred thousand dollars ($4,500,000).

8. To cause taxes to be levied and and collected for the purpose of paying any obligation of the district in the manner hereinafter provided.

9 To make contracts, and to employ for temporary services only, expert appraisers, consultants and technical advisers, and to do all acts necessary for the full exercise of all powers vested in said district, or any of the officers thereof, by this act.

10. To grant or otherwise convey to counties, cities and counties, cities or towns easements for street and highway purposes, over, along, upon, in, through, across or under any real property owned by said Los Angeles County Flood Control District

11. To remove, carry away and dispose of any rubbish, trash, debris or other inconvenient matter that may be dislodged, transported, conveyed or carried by means of, through, in, or along the works and structures operated or maintained hereunder and deposited upon the property of said district or elsewhere

12 To pay premiums on bonds of contractors required under any contract wherein the amount payable to the contractor exceeds five million dollars ($5,000,000); provided, that the specifications in such cases shall specifically so provide and state that the bidder shall not include in his bids the cost of furnishing the required bonds

13 To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district, and to pay any compensation received therefor into the general fund of said district and use the same for the purposes of this act; provided, however, that nothing herein shall authorize the board of supervisors or other governing body of the district or any officer thereof to sell, lease or otherwise dispose of any water, water right, reservoir space or storage capacity or any interest or space therein *except to public agencies for recreational purposes when such use is not inconsistent with the use thereof by the district for flood control and water conservation purposes*; or except as hereinafter provided by Section 17 of this act; provided, however, that said district may grant and convey to the United States of America, or to any federal agency authorized to accept and pay for such land or interests in land, all lands and interests in land, now owned or hereafter acquired, lying within any channel, dam or reservoir site, improved or constructed, in whole or in part, with federal funds, upon payment

to the district of sums equivalent to actual expenditures made by it in acquiring the lands and interests in land so conveyed and deemed reasonable by the Secretary of War and the Chief of Engineers.

The said district by or through its board of supervisors, or other board or officers at any time succeeding to the duties or functions of its board of supervisors, is hereby authorized and empowered to warrant and defend the title to all land and interests therein so conveyed to the United States of America or to any such agency and their respective assigns; to covenant and agree to indemnify and keep indemnified and to hold and save harmless and exonerated the United States of America or any such agency, to which such lands or any interest therein are so conveyed by said district, from and against all demands, claims, liabilities, liens, actions, suits, charges, costs, loss, damages, expenses and attorneys fees of whatsoever kind or nature, resulting from, arising out of or occasioned by any defect or defects whatsoever in the title to any such land or interest in land so conveyed by said district; to reimburse and save harmless and exonerated the United States of America or any such agency for any and all amounts, paid, and expenses incurred, in the compromise or settlement of any demands, claims, liabilities, liens, actions, suits, charges, costs, loss, damages, expenses and attorneys' fees of whatsoever kind or nature, resulting from, arising out of or occasioned by any claim to or defect or defects whatsoever in the title to any such land or interests in land so conveyed by said district; to pay all just compensation, costs and expenses, which may be incurred in any condemnation proceeding deemed necessary by the United States of America or such agency, in order to perfect title to any such land or interests in land, including without limitation all attorneys' fees, court costs and fees, costs of abstracts and other evidences of title, and all other costs, expenses or damages incurred or suffered by the United States of America or such agency; and consent is hereby given to the bringing of suit or other legal proceedings against said district by the United States of America or such agency, as the case may be, in the proper district court of the United States, upon any cause of action arising out of any conveyance, contract or covenant made or entered into by said district pursuant to the authority granted in this act, or to enforce any claims, damages, loss or expenses arising out of or resulting from any defect whatsoever in the title to such land or any interest therein or any claims of others in or to such land or interest therein

SEC. 15. Section 13¾ of the Los Angeles County Flood Control Act is amended to read:".

Amendment No. 4

On page 3, line 11, of said bill, as amended, strike out "four thousand dollars ($4,000)", and insert "two thousand dollars ($2,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2042 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2042 ordered enrolled

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance broker's licenses.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2081?

Amendment No. 1

On page 2 of the printed bill, after line 24, insert

"SEC. 2. This act shall become operative July 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2081 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly,

Kilpatrick, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—51.

NOES—Beck, Davis, and Lowrey—3.

Assembly Bill No. 2081 ordered enrolled.

Assembly Bill No. 2512—An act to amend Section 261b of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2512?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "amend Section 261b of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943", and insert "add Section 261j to the Code of Civil Procedure".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 261j is added to the Code of Civil Procedure, to read:

261j. In each county, or city and county having a population of more than 295,000 and less than 500,000 inhabitants, as determined by the 1950 federal census, the board of supervisors may by resolution adopt the following procedure for the appointment and compensation of official phonographic reporters

The judges of the superior court in and for such county, a majority concurring, to assist the court in the transaction of the judicial business of said court by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822 of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a

defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 4 to 26, inclusive; and strike out all on pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2512 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2512 ordered enrolled.

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2601?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 18, 1951, after "owner", insert "or a tenant of the owner".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2601 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2601 ordered enrolled.

Assembly Bill No. 2664—An act to amend Sections 3017, 3018, and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2664?

Amendment No. 1

In the second line of the title of the printed bill, as amended, strike out ", and to add a new section numbered 3030,".

Amendment No. 2

On page 1, line 19, of said bill, as amended, strike out "Secretary of State", and insert "the county recorder of the county in which the assignor has its chief place of business within this State, or if the assignor has no place of business within this State then the county recorder of the county in which the assignor resides".

Amendment No. 3

On page 3 of said bill, as amended, strike out all of lines 1 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2664 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 2664 ordered enrolled.

Speaker Pro Tempore Presiding

At 10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2673—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2673?

Amendment No. 1

In the first line of the title of the printed bill, strike out "amend", and insert "add", and after "2141", insert ".5".

Amendment No. 2

In line 1 of said bill, strike out "2141 of", and insert "2141.5 is added to".

Amendment No. 3

In line 2 of said bill, strike out "is amended".

Amendment No. 4

Strike out lines 3 to 11, inclusive, of said bill, and insert

"2141.5 For the first and second separate conviction of a violation of Section 2141 of this code, the punishment shall be a fine of not less than one".

Amendment No. 5

In line 13 of said bill, strike out "by".

Amendment No. 6

In line 14 of said bill, strike out "by", and after "both", insert "such".

Amendment No. 7

In line 1 of the title of the printed bill, as amended in the Senate on April 13, 1951, strike out "of", and insert "and Section 2436 to".

Amendment No. 8

In line 17 of said bill, as amended, strike out "A third or subsequent offense is a"; and strike out lines 18 to 21, inclusive, and insert "Any person who has been previously twice convicted, upon charges separately brought and tried, for violations of Section 2141 of this code, is punishable by a fine of not less than one thousand dollars ($1,000) nor more than three thousand dollars ($3,000), or, in the discretion of the court, by imprisonment either in a county jail or in a state prison for a term of one year, or by imprisonment in a state prison for a term of not more than three years, or by both fine and imprisonment.

SEC. 2 Section 2436 is added to the Business and Professions Code, to read:

2436. Whenever any person has engaged or is about to engage in any acts or practices which constitute or will constitute an offense against this chapter, the superior court of any county, on application of the board or any person holding a license or certificate issued under this chapter, and on proper showing of such offense or threatened office, shall issue an injunction or other appropriate order restraining such conduct No bond shall be required in any action commenced under this section. Injunctive relief under this section may be granted against natural persons, groups, partnerships, associations, trusts, corporations, or any other legal entity."

Amendment No. 9

On page 2, line 3, of the printed bill, as amended in the Senate on June 1, 1951, strike out "office", and insert "offense".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2673 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58.

NOES—Davis and Lowrey—2.

Assembly Bill No. 2673 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby Senate Bill No. 806 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 546 BE RETURNED TO FILE

Mr. Levering, whose notice of motion to reconsider Assembly Bill No. 546 lapsed yesterday, asked for unanimous consent that Assembly Bill No. 546 be returned to file.

Point of Order

Mr. Dunn arose to the following point of order: That the motion by Mr. Levering is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO SPEAK ON THE CONDITION OF THE FILE

Mr. Collier asked for unanimous consent to speak on the condition of the file.

Point of Order

Mr. Geddes arose to the following point of order: That only when a motion to adjourn is pending is it in order to speak on the condition of the file.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2688

Mr. Burkhalter asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2688, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2688?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 16, 1951, strike out lines 6 to 12, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2688 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—Luckel—1.

Assembly Bill No. 2688 ordered enrolled.

Speaker Presiding

At 10.10 a m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3066—An act making an additional appropriation for support of the Division of Forestry, Department of Natural Resources, to enable it to provide brush-burning fire protection service and to assist in range improvement programs, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 10.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Chapel, Coats, Cooke, Dickey, Evans, Gubser, Hollibaugh, Levering, McGee, Moss, Rumford, Sherwin, and Smith—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Davis asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1072—An act making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3345—An act relating to the State Rehabilitation Center, providing for a study of the administration and for preliminary plans thereof, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 102: By Messrs. Gubser, Kirkwood, and Lowrey—Relative to departmental opinions.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 103: By Messrs. Silliman, Kirkwood, Hinckley, Brady, Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—Relative to the creation of the Joint Committee on Governmental Reorganization.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs. Silliman, Thomas, Hinckley, Grunsky, Kirkwood, Smith, Lindsay, Collier, Coats, Cooke, Grant, Levering, Lowrey, McMillan, Lyon, Rumford, Brady, Dunn, McCollister, Stewart, Conrad, Mrs. Niehouse, Messrs. Elliott, Moss, Caldecott, Dills, Dolwig, Lincoln, Morris, Connolly, Parker, Gubser, Meyers, Lanterman, Chapel, George D. Collins, McGee, Gaffney, Burkhalter, Tomlinson, Davis, Clarke, Babbage, Sherwin, Brown, Doyle, Belotti, Hansen, Kelly, Shaw, Klocksiem, Henderson, Munnell, Stanley, Hawkins, Porter, Berry, Lipscomb, and Hahn:

House Resolution No. 203

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions,

the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports, its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garner block as part of the State Park System and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Hinckley, Kirkwood, and Luckel—3.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2474 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2474 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 64 BE RE-REFERRED TO COMMITTEE

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 64 be withdrawn from the third reading file, and be re-referred to the Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 611—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Erwin—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1198

Mr. Clarke asked for, and was granted unanimous consent to take up Senate Bill No. 1198, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1198

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendments:

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate on May 28, 1951, between lines 3 and 4, insert

"Where the surety intends to cancel a bond, notice of such cancellation shall be furnished by the surety to the Labor Commissioner prior to the effective date of such cancellation."

Amendment No. 2

On page 4, line 39, of said bill, after "licensee", insert "; provided, however, that the aggregate liability of the surety to all such persons shall in no event exceed the penal sum of said bond".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1980

At 10.54 a.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1980 passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—59

NOES—Conrad, Erwin, Grunsky, Hansen, Hinckley, Kirkwood, Klocksiem, Lindsay, Luckel, Silliman, Stewart, and Waters—12.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Recess—

Constitutional Amendments, at desk of Mr. Crowley. Subject: Bills authored by Mr. Coats and Senators Hatfield and Mayo.

Transportation and Commerce, at desk of Mr. Luckel. Subject: Bill by Senator Way.

MEMBERS EXCUSED

At 10 56 a.m., Mr. Belotti, asked for, and was granted, unanimous consent that Mr. Chapel be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 10.57 a.m., Mr. Lincoln asked for, and was granted, unanimous consent that Mr. Rumford be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, upon recess, a Republican Caucus will be held in Room 2170, and a Democratic Caucus will be held in Room 3184, for the purpose of nominating three candidates from each party for election to membership upon the newly created Committee on Rules.

RECESS

At 11 a m., on motion of Mr. Geddes, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, June 15, 1951

Mr Arthur A. Ohnimus, Chief Clerk
California State Assembly
Sacramento, California

DEAR MR. OHNIMUS: You are hereby advised, as Chairman of the Republican Caucus, pursuant to Assembly Rule No. 8, that Assemblymen Kirkwood, Silliman, and Tomlinson were unanimously nominated by the Republican Caucus for election to the Rules Committee.

Respectfully submitted.

EARL W. STANLEY, Chairman
Republican Caucus

ASSEMBLY, CALIFORNIA LEGISLATURE, June 15, 1951

Mr. Arthur Ohnimus, Chief Clerk
State Assembly
Sacramento, California

DEAR MR. OHNIMUS: Pursuant to Rule 8 of the Standing Rules of the Assembly, the Democratic Assemblymen convened in party caucus on this date and, by secret ballot, selected for their nominees to the Committee on Rules the following persons, each of whom received a majority of the votes of the total number of members of the Democratic Party:

Robert I. McCarthy
John E. Moss, Jr.
William H. Rosenthal

Sincerely,

JULIAN BECK
Democratic Caucus Chairman

MOTION THAT VOTE BE TAKEN COLLECTIVELY ON ALL SIX NOMINEES

Mr. Stanley moved that the vote be taken collectively on the names of all six nominees, at this time.

Mr. Waters seconded the motion.

Point of Order

Mr. Beck arose to the following point of order: That the Rules provide that each name must be acted upon separately.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Temporarily Suspend the Rules

Mr. Hollibaugh moved that the Rules be temporarily suspended for the purpose of voting collectively on the names of the six nominees to the Committee on Rules at this time.

Messrs. Collier and Doyle seconded the motion.

Motion carried, by unanimous consent.

Motion That Roll Call Be Taken for Election of Nominees

Mr. Hollibaugh moved that a roll call be taken, at this time, and that the six nominees for election to the Committee on Rules be voted upon collectively.

Mr. Doyle seconded the motion.

Motion carried.

The roll was called, and the nominees of both party caucuses were elected members of the Rules Committee by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59

NOES—None

Results of Election Announced

Messrs. Kirkwood, Silliman, Tomlinson, McCarthy, Moss, and Rosenthal, being the choice of the Assembly, the Speaker declared them duly elected members of the Committee on Rules pursuant to the provisions of Assembly Standing Rule 8.

ANNOUNCEMENT

Speaker Sam L. Collins announced that a short organizational meeting of the new Committee on Rules will be held in his office, immediately upon adjournment.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Miscellaneous communications as attached

Has had the same under consideration, and reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 19	Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 23	Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 24	Senate Concurrent Resolution No. 76
Senate Concurrent Resolution No. 25	Senate Concurrent Resolution No. 80

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Bill No. 1213
Senate Bill No. 1680

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above bills were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 192
House Resolution No. 193
House Resolution No. 198
House Resolution No. 199

Respectfully reports the same back without action

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above House resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 19
House Resolution No. 20
House Resolution No. 21
House Resolution No. 26
House Resolution No. 27
House Resolution No. 33
House Resolution No. 35
House Resolution No. 36
House Resolution No. 38
House Resolution No. 45
House Resolution No. 50
House Resolution No. 52
House Resolution No. 61
House Resolution No. 68
House Resolution No. 93
House Resolution No. 97
House Resolution No. 98
House Resolution No. 104
House Resolution No. 107
House Resolution No. 111
House Resolution No. 114
House Resolution No. 119
House Resolution No. 116
House Resolution No. 117
House Resolution No. 123
House Resolution No. 125
House Resolution No. 126
House Resolution No. 128
House Resolution No. 129
House Resolution No. 143
House Resolution No. 145
House Resolution No. 152
House Resolution No. 158
House Resolution No. 159
House Resolution No. 160
House Resolution No. 169
House Resolution No. 174
House Resolution No. 181
House Resolution No. 184
House Resolution No. 188

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above House resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 5
Assembly Joint Resolution No. 6
Assembly Joint Resolution No. 9
Assembly Joint Resolution No. 12
Assembly Joint Resolution No. 15
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 26
Assembly Joint Resolution No. 31
Assembly Joint Resolution No. 34
Assembly Joint Resolution No. 41

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 1
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No 27
Assembly Concurrent Resolution No. 38
Assembly Concurrent Resolution No. 40
Assembly Concurrent Resolution No. 41
Assembly Concurrent Resolution No 43
Assembly Concurrent Resolution No 60
Assembly Concurrent Resolution No. 63
Assembly Concurrent Resolution No. 64
Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 94
Assembly Concurrent Resolution No. 95

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 1105
Assembly Bill No. 3362

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above bills were ordered re-referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 356
Senate Bill No. 457
Senate Bill No. 549
Senate Bill No. 617
Senate Bill No. 700
Senate Bill No. 900
Senate Bill No. 949
Senate Bill No. 960
Senate Bill No. 1093
Senate Bill No. 1189
Senate Bill No. 1489
Senate Bill No. 1684
Senate Bill No. 1835

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor.

Referred to Committee on Municipal and County Government.

Senate Bill No. 457—An act to amend Section 30608, and to add Sections 30609 and 30610, of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge, and the use of revenues therefrom.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 700—An act to add Section 5500.5 to the Labor Code, relating to workmen's compensation for industrial disease.

Referred to Committee on Industrial Relations.

Senate Bill No. 900—An act to amend Section 5107 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Referred to Committee on Social Welfare.

Senate Bill No. 960—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Referred to Committee on Public Health.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 1189—An act to amend Section 14 of an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the

election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1, to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

Referred to Committee on Judiciary.

Senate Bill No. 1684—An act to amend Sections 38691, 38693, 38694, 38695, 38696, 38697, 38699, 38701, 38702, 38704, 38705, and 38707, and to repeal Section 38698, of the Government Code, relating to zoning.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1835—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 52
Senate Concurrent Resolution No. 91

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 52—Relative to the creation of the Joint Interim Committee on Regulation of Highway Carriers.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 91—Relative to the Joint Interim Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. Kilpatrick arose to a question of personal privilege.

Motion That Personal Privilege Statement Be Printed in Journal

Mr. Kilpatrick moved that his personal privilege statement be ordered printed in the Journal, in 10 point type.

Mr. Moss seconded the motion.

Substitute Motion

Mr. Collier moved, as a substitute motion, that the personal privilege statement of Mr. Kilpatrick be ordered referred to the Committee on Rules.

Mr. Dickey seconded the substitute motion.

Roll Call Demanded

Messrs. Beck, Cooke, and Lowrey demanded a roll call.

The roll was called, and the substitute motion lost by the following vote:

AYES—Collier, Dickey, Grunsky, Hansen, Levering, Sherwin, and Smith—7.

NOES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—47.

The question being on the motion by Mr. Kilpatrick that his statement be printed in the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

REMARKS BY MR. KILPATRICK UNDER POINT OF PERSONAL PRIVILEGE

Last week the Senate Interim Committee on Un-American Activities filed a report in which it criticized my associations and actions, implying that I was, or am, either a Communist or a fellow traveler. I rise to assure the Assembly which, under our Constitution is the judge of the qualifications of its members, that I am not now, nor have I ever been, a member of the Communist Party. I further state that I have never and will never knowingly do anything which will further the cause of international Communism.

It is interesting to note that the ex-chairman of the Senate committee apparently knew of its intentions toward me before the committee report was published, and released that information to the press and to my opposition just one week before the election for City Councilman of Los Angeles, in which I was narrowly defeated. In 1949, popular reaction to the use of legislative committees for political purposes was such that proposals were advanced to amend the Joint Rules to prevent such conduct. I suggest that the need for such a rule is as urgent now as it was then, and that the action of the Senate Committee on Un-American Activities demonstrates this.

Whatever my feelings concerning the personal attack on myself, I feel even more deeply the unjustified criticism of the Assembly Committee on Crime and Corrections, of which I am chairman. The record of that committee for the past few years speaks for itself. Due to its exposure of conditions in state and local custodial institutions, many changes have been instituted which have benefited not only the inmates but also the State.

When the committee turned its attention to abuse of authority by police officials resulting in deprivation of civil rights it was, I suppose, to be expected that the committee would become the target of criticism.

However, that such criticism should emanate from the other house of this Legislature was unexpected, and constituted a flagrant breach of the spirit of cooperation between the two houses which led to the adoption of Joint Rule No. 40.

The Senate committee's criticism of the conduct of the Assembly Committee on Crime and Corrections is made by way of innuendo that the Assembly committee, in holding hearings on alleged police brutality in Oakland, was "furthering the party line." This is an utter and complete falsehood.

The Committee on Crime and Corrections has received numerous communications from respected citizens commending its conduct of the Oakland hearings. I should like to read just one, written by the Chairman of Public Affairs of the Oakland Young Women's Christian Association. I quote:

> "The Public Affairs Committee of the Oakland Y.W.C.A. wants to assure you of our interest in and support of the very important work your committee is engaged in and also to commend you for the excellent manner in which the hearings were held in Oakland.
>
> "We feel that what may seem to be a lack of interest on the part of the general public is the result of poor, and in our opinion, distorted news coverage. The constant implication that only Communists were backing the investigation is a matter to be vigorously protested.
>
> "Already, as a result of the investigation, first steps are being taken in Oakland to improve the police force. It is our belief that legislation setting up minimum standards for police officers would be a step in the right direction.
>
> "May the facts be brought out to the end that conditions will be improved all over the State." End quote.

The Senate Committee on Un-American Activities also criticizes the committee by innuendo by casting doubt upon the loyalty and integrity of Mr Robert Powers, who was employed as investigator by the Assembly committee in connection with the Oakland hearings mentioned above. The complaints received by the Assembly committee from several loyal and conservative American organizations, relating to alleged brutality in the Oakland Police Department were turned over to Mr. Powers and he was given a free hand in interviewing and lining up witnesses to appear before the committee We think it natural that his pre-hearing work included interviews with any persons and groups who had the complaints. The committee responsibility was to inquire into police brutality and racial discrimination. We did not feel it our responsibility to determine his political status as a preliminary to that inquiry. Because one of those persons happened to be a lawyer who represents the Civil Rights Congress, the Senate Committee on Un-American Activities infers that Mr. Powers was, in effect, "playing ball" with that Communist dominated organization I believe the unfairness of that innuendo is self-evident. I would, however, like to point out that Mr. Powers' background was investigated carefully by this committee before he was hired and that his employment record showed that he had served honorably

as Chief Law Enforcement Officer of the Governor's War Council in a position exempt from civil service; that he had been Assistant to the Director of the California State War Council and subsequently, became Coordinator of Law Enforcing Agencies of the State Department of Justice.

As I mentioned earlier, this criticism of myself and of the committee of which I am chairman, was carefully released during the week immediately preceding the election at which I was defeated for the position of City Councilman of Los Angeles and, in my opinion, influenced the result of that election. With rancor toward none, and a deep sense of appreciation to this body for your many expressions of confidence, I assure you time will prove you right and the report wholly wrong.

The following testimonial letters from reputable citizens and organizations are selected from the many which attest to the high quality of public service rendered the citizens of Oakland by the Assembly Interim Committee on Crime and Correction:

HOWARD H. DESKY
ATTORNEY-AT-LAW
CENTRAL BANK BUILDING
OAKLAND, CALIFORNIA

June 12, 1951

Hon. Sam Collins
Speaker of the Assembly
State Capitol
Sacramento, California

MY DEAR SPEAKER COLLINS: This is with respect to your telephone conversation of today, in which you stated to me that Assemblyman Vernon Kilpatrick had been subjected to criticism in the Senate for the inquiry of the Assembly Interim Committee on Crime and Corrections held in Oakland in January, 1950. You stated to me that it was claimed that the Committee's investigation was "Communist inspired."

By birth, I am a native American; by profession, I am a practicing lawyer of twenty-five years' experience in the City of Oakland; by political affiliation, I am a life-long Republican. I deplore Communism and everything associated with it. I had no connection whatever with the hearings of the Assembly Committee, other than, in response to a subpoena by the Committee, I testified as the former Chairman of the Mayor's Committee for Civic Unity. I did not participate in, or attend the hearings with the exception of the few minutes during which I testified.

My testimony was given solely and entirely as this former Chairman of the Mayor's Committee for Civic Unity. Six months previously, the Mayor's Committee had been directed and empowered by the City Council of Oakland to make an investigation of incidents that had been reported with reference to alleged Police brutality in the City. The Mayor's Committee was given no funds and no official investigators. Our work was performed entirely on a voluntary basis. After two months of thorough investigation, hearing voluntary witnesses, and the reading

of much correspondence, the Mayor's Committee submitted a complete report to the City Council setting forth its findings, conclusions and recommendations, a copy of which is herewith enclosed. This report speaks for itself as evidence of the objectivity and the thoroughness of the investigation made by the Mayor's Committee, and the dedication of its members to community betterment. This report was received by the City Council and referred to the City Manager. The investigation by the Mayor's Committee for Civic Unity was "inspired" by no one. It was brought about at the direction of the City Council to which the unfortunate incidents had been reported.

The members of the Mayor's Committee who signed this report were all men and women of the highest character, outstanding in their civic endeavors and imbued with a desire to make America a better place in which to live.

At the hearing of the Assembly Committee, I testified concerning the incidents of alleged Police brutality mentioned in the report of the Mayor's Committee for Civic Unity. I stated, in effect, that the situation in Oakland was not beyond the control of the City Police Department and that, in my judgment, no legislation was required. I believed that certain incidents reported had been exaggerated; I also believed that others had been minimized. I reiterated the recommendation of the Mayor's Committee that a thorough program of Police training on minority problems be given in the City of Oakland. This recommendation was subsequently adopted.

The record of the Assembly Committee hearings reveals that, among others, such outstanding Christian ministers as the Rev. Harold N. Geistweit and the Rev. John Dillingham, and Mr. Walter Gordon, Chairman of the California Adult Authority, testified. To infer that the testimony given by these men was "Communist inspired" is unsound. To associate Communism with that hearing, just because leaflets and pamphlets criticizing the Police Department were distributed, is equally illogical. We are all acquainted with the tactics of the Communists, who by their presence and distribution of literature, attempt to disrupt the normal and democratic processes. They espouse the right of free speech for themselves in order to deny free speech to others. They espouse the democratic cause in order to destroy Democracy.

As far as I know, the testimony given by me and the others referred to herein, and the report submitted by the Mayor's Committee for Civic Unity, were solely for the purpose of serving the public cause.

Trusting that this will answer your inquiry, I am

Sincerely yours,
HOWARD H. DESKY

HHD:GC
copy to Vernon Kilpatrick

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE

Alameda County Branch, 1716 Seventh Street
Oakland 20, California
TWinoaks 3-0894

June 12, 1951

Assemblyman Vernon Kilpatrick
State Capitol
Sacramento 14, California

DEAR MR. KILPATRICK: I have noted with interest the accusations made against you, part of which seems to be as a result of your activities as Chairman of The Assembly Interim Committee on Crime and Correction. I supervise the Los Angeles Division of the Brotherhood of Sleeping Car Porters, of which I am an international vice-president, and make four or more trips to Los Angeles every year. Since I had heard of no such charges on my many trips to Los Angeles, I consulted our representatives there and they have assured me that from their knowledge as well as from their investigation that the charges are unfounded and they are of the opinion that they are absolutely untrue.

As the President of the Alameda County Branch National Association for the Advancement of Colored People I talked with you and Assemblyman Rumford on the telephone and then I wrote you as Chairman of the Interim Committee requesting that you bring your committee to Oakland for the purpose of investigating law enforcement as it affected Negroes and other minorities. As I told you on the telephone as well as in the communication, police brutality in Oakland, insofar as Negroes and Mexicans were concerned, was the order of the day and had been such for a quarter of a century to my personal knowledge. Your committee sent one Mr. Powers here to make the investigation and arrange for the hearings. I am taking this opportunity to again inform you that Mr. Powers remained in close contact with me during his stay in Oakland and we went over the many cases of police brutality together. Mr. Powers checked with me, not only the cases we had in the N.A.A.C.P. files but on every other case other people had brought to his attention, and we agreed on the cases that we thought should be presented to your committee. In other words, every case presented had my approval. Therefore no one can honestly say that the communist dominated the hearings held here. As the records will show, I opened the hearings with a verbal statement on police brutality and its affect upon Negroes here. And again at the close of the hearings I took the stand in an attempt to clear the atmosphere which had resulted from an attempt which had just been made to show that the cases presented had been solicited. I don't think that a majority of the committee members caught the point I was trying to make. I then closed the hearings with a verbal statement and approved certain recommendations that had been presented to the committee. The only reason that the N.A.A.C.P. didn't play a more noticeable part in presenting the cases was because we have no paid personnel on the staff here whatever.

Finally, I wish to assure you that the hearings were not dominated by the communist. It is my opinion that there are very few persons in

Oakland who know more about the communist and their tactics than I do. I am pretty well known, in the ranks of the A. F. of L. as well as among Negroes for my knowledge of them and ability to spot them. After all, I have had nearly 30 years experience in Oakland and have participated in labor and civic activities for some 26 years. Obviously then I have had many contacts with the reds as well as many "brushes" with them, therefore I think I am in a position to give a good appraisal of the hearings your committee conducted here.

Very sincerely yours,

/s/ C. L. DELLUMS, President
Alameda County Branch N.A.A.C.P.

pam

FIRST BAPTIST CHURCH
Office, 534 Twenty-first Street
Oakland 12, California
GEORGE M. DERBYSHIRE, Pastor

HAROLD B. BJORNSON, Associate Minister
WILLIAM C. WOOD, Minister of Music
JACK D. CHRISTENSEN, Youth Director
RAYMOND W. BEAVER, Church School Director

January 2, 1950

Honorable Vernon Kilpatrick, Chairman,
Assembly Interim Committee on Crime and Correction,
Alameda County Court House,
Oakland, California

DEAR SIR: You and your committee are to be commended for holding your forthcoming investigation of the charges of abuse and discrimination by the Oakland Police Department. We have heard of these charges for several months, but nothing seems to have been definitely proved, and nothing was done by the Oakland Council to try to determine the truth. Neither, as far as we know, was any action taken to improve any unhealthy conditions which might exist.

We therefore welcome your investigation and trust that a most thorough inquiry will be made, which will uncover all the facts in the various complaints. We also urge you to give full publicity to the hearings and to your findings.

As citizens of Oakland, we naturally do not like such charges and reflections against our city, and we do not like the uncertainty as to whether the charges are true. But we like even less that any of our officials should deny civil rights to any citizen, or discriminate against any because of race, color or creed.

We trust that your committee will have the full cooperation of all the officials and all the citizens of our city.

Respectively yours,

COMMITTEE ON CHRISTIAN SOCIAL PROGRESS, FIRST BAPTIST CHURCH
STANLEY M. COLE, Chairman

DR. J. P. HUBBARD, Pastor REV. W. A. HARRIS, Asst. Pastor

THE LAYMEN'S LEAGUE AUXILIARY OF THE
BETH EDEN BAPTIST CHURCH

S. E. Corner Tenth & Magnolia Sts.
Oakland 7, California
R. F. HADDEN, Corresponding Secretary
Office: 952 Magnolia St.

Jan. 31, 1950

Hon. Vernon Kilpatrick
State Capitol
Sacramento, Calif.

HONORABLE SIR: This is just to thank you for the fine work of your committee investigating police brutality in our city; and to say we feel sure your work was much needed and will be affective also effective.

The blessings of God be upon you and your efforts.

Sincerely yours,

/s/ E. S. THOMAS

MRS. CLARENCE ALBERT CHICHESTER
47 ESTRELLA
PIEDMONT, CALIFORNIA

Jan. 9, 1950

Mr. Vernon Kilpatrick, Chairman,
Assembly Interim Com. on Crime and Correction,
1332 So. Hope Street, Los Angeles, California

DEAR MR. KILPATRICK: It was difficult to thrust aside prior appointments to attend the sessions of your committee's hearings on the Oakland Police Department, but it was gratifying to have had this experience, and I would like to commend you, as chairman, for the fairness with which you were able to conduct them.

I am, however, deeply resentful of the implication which emanated from police testimony that only Communists or members of the Civil Rights Congress are concerned with the carelessness of citizen's rights in this community. There are many very conservative members of this community who are distressed with this attitude.

Further, it is the feeling of many of this group that the Oakland Police Department does not *generally* command the respect of the community. Business men complain continually of it, and continual comments of dissatisfaction in regard to the kind of protection which can be expected of a force whose members are so frequently criminal offenders themselves are heard.

The general discourteous attitude used in traffic regulations is common discussion in Oakland.

And so, it is the sincere hope of a great many of us who are not Communists that our community will derive more benefits from the hearings of your committee than some of the publicity would indicate.

Yours very sincerely,

MARION CHICHESTER
(Mrs. C. A.)

Law Offices of
DAVID D. OLIPHANT, JR.
Insurance Building
1404 Franklin St.
Oakland 12, California
Telephone GLencourt 1-4191

April 6, 1949

Assemblyman Vernon Kilpatrick
55th Los Angeles District
State Assembly, Capitol Building
Sacramento, California

DEAR SIR: There is no political aspect to this letter. I have noticed in the press that you are chairman of a committee of the Assembly dealing with the subject of police brutality.

As an attorney, and, I trust, an observant citizen, I have felt for many years that there has been a growth of police brutality, and that it is a practice which should be openly and strongly condemned. Like many other people, I have simply made my observations and done nothing.

Therefore, I was pleased when I noticed that your committee is about to take up this very important subject, and I hope the committee will do the job thoroughly on a non-partisan basis and come up with recommendations that will put a permanent stop to a practice which is entirely un-American and one which, in my opinion, goes a long way toward destroying respect for law and those who administer it.

Yours truly,
(Signed) DAVID D. OLIPHANT, JR.

3874 ALAMEDA, MENLO PARK, CALIFORNIA, February 20, 1950

Kilpatrick Committee
Sacramento, California

SIRS: It is my understanding that you are a committee whose duty it is to investigate cases of police brutality in California, and I merely wish to place myself on record as favoring this activity; and I hope that the work of your committee will continue for an indefinite period.

For some reason, the minute a man gets into uniform—any uniform—something psychological seems to happen to him. He forgets that he is still a citizen in a democracy and he begins to think of himself as The Law, and *above the law.*

Then under certain circumstances he tends to ignore the constitutional processes he has sworn to uphold, and to violate the constitutional rights of some unfortunates who happen to incur his displeasure In the San Francisco CHRONICLE this morning there is a good editorial entitled "Justice, Amity and Understanding" which I wish all citizens would read and ponder. In part it reads,

"For prejudice and discrimination and intolerance are still a powerful influence on our daily lives. We are a Nation . . . dedicated . . . to the principle that every person is an individual who deserves the right to be judged as an individual . . . every American must, not only this week, but always, consider primarily to security of every minority group in our social system."

I listened to a sermon yesterday, and in that sermon there was an incident that I have heard before. It bears repeating, not once but many times. It seems a certain high school offered a prize to the student submitting the best essay telling how he thought Hitler should have been punished, had he lived. And the prize was won by a 16-year old Negro girl who wrote simply, "Hitler should have been painted black and required to spend the rest of his life *in any American community.*"

Yours sincerely,

/s/ Myrtle Moore
MYRTLE MOORE, REALTOR
Ph.B. University of Chicago '22.

EAST BAY UNION OF MACHINISTS
LODGE 1304
UNITED STEELWORKERS OF AMERICA, C.I.O.
560 - 11th Street
Oakland 7, California
Telephone TWinoaks 3-3066

January 3, 1950

Mr. Vernon Kilpatrick, Assemblyman
State Capitol Building
Sacramento, California

DEAR SIR: At the last regular meeting of the East Bay Union of Machinists Local 1304, United Steelworkers of America, C.I.O., I was instructed to write you thanking you for the good work you have performed on Crime and correction, and we are looking forward that you keep up the good work next year.

Thanking you and wishing you a prosperous New Year, I remain,

Respectfully yours,

EAST BAY UNION OF MACHINISTS
LOCAL 1304 U. S. of A., CIO
/s/ George Adams
George Adams
Recording Secretary

GA/mk
USA-3702-CIO

1688 SHATTUCK, BERKELEY, CALIF., Jan 5 1950

Dear Sir:

The presence of your committee here did give us inspiration and hope.

God bless you and more power to you,

V. N. MADOLOFF

I hear the soul of man around me waking
Like a great sea its frozen fetters breaking,
Every hour new signs of promise tell
That the great soul should once again be free
For high, and yet more high, the murmurs swell
Of inward strife for Truth and Liberty.

MEMBER EXCUSED

At 2.15 p.m., Mr. Grunsky asked for, and was granted, unanimous consent that Mr. Connolly be excused, for the balance of the legislative day, because of legislative business elsewhere.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, June 15, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly

DEAR SIR: I am directed by the Senate to respectfully request your honorable body to return Assembly Bill No 2249 to the Senate for further consideration.

Very truly yours,

J. A. BEEK, Secretary of the Senate

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2249 FROM ENROLLMENT

Mr. Burke asked for, and was granted, unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 2249 from enrollment.

Bill Ordered Returned to Senate

Assembly Bill No. 2249 ordered returned to the Senate, by unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read third time.

Speaker Pro Tempore Presiding

At 2.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 2.41 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Tomlinson, Lanterman, Babbage, Hansen, and Coats demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1216.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 3.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Dunn, Evans, Hagen, Luckel, and Porter—5.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15716, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—58.

NOES—Brady and Levering—2.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3174 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3112 re-referred to the Committee on Municipal and County Government.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sherwin:

House Resolution No. 204

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly Standing Committee on Ways and Means of the 1951 Regular Session is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1951-1952 and 1952-1953 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1951 and 1952 Regular Sessions. Whenever a Member of the Assembly is appointed to, or relieved of, membership in the existing Assembly standing Committee on Ways and Means, he shall automatically be or cease to be, as the case may be, a member of the Assembly Interim Committee on Ways and Means, so that the membership of the standing and the interim committees shall, at all times be identical. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the

committee shall be filled by the appointing power. A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the last legislative day of the 1953 Regular Session, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 205

Relative to installation of public weighing scales for trucks on U. S. Highway 101 in Del Norte County

WHEREAS, The welfare of the people of the State of California demands a free and uninterrupted flow of traffic at all times; and

WHEREAS, Overloaded and slow-moving trucks are doing irreparable damage to the state highways and are greatly impeding the flow of traffic; and

WHEREAS, This situation is particularly hazardous along U. S. Highway 101 in Del Norte County; and

WHEREAS, The State has no facilities at present in Del Norte County for weighing these trucks, many of which load either out of California to the north or within Del Norte County; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Department of Public Works is requested to find suitable locations and install public weighing scales for trucks on U. S. Highway 101 in Del Norte County at a point at or in close proximity to the California-Oregon border and at or near the Town of Orick; and be it further

Resolved, That the California Highway Patrol is requested to post necessary signs to stop trucks and to assign officers to duty in these weighing stations during both the day and night; and be it further

Resolved, That the Department of Public Works and the California Highway Patrol are requested to carry out the provisions of this resolution and to report thereon to the Assembly on the convening of the 1952 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the Director of the Department of Public Works and the Commissioner of the California Highway Patrol.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Gaffney:

House Resolution No. 206

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State; and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced; and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dolwig:

House Resolution No. 207

Relative to augmenting the funds of the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of _____ dollars ($_____), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses, or claims it may incur under

said rule and resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

A communication from Lillian M. Stratton, President, and Laura Doris Davis, Recording Secretary of Los Angeles Parlor No. 124, Native Daughters of the Golden West, with a resolution attached relative to requesting the Legislature to take legal measures to outlaw abandonment of ice boxes and other potentially dangerous equipment on which doors cannot be opened from the inside, were received, and ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 233—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2946—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1166—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills,

Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 453—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2064—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to ill and infirm aged persons, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1818:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 7, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1818, "An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled 'An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve,' approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121,

3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13 16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166 1, 166.2, 166.3, 166.4, 166 5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill with certain minor exceptions constitutes a codification of existing provisions of the law now found in various acts relating to unclaimed property. It contains technical appropriations now found in the laws, but does not provide any new appropriations. Under these circumstances its enactment should not await final approval of the budget

I therefore recommend consideration of Assembly Bill No. 1818 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Stanley announced that the following bills will not be heard in the meeting of Municipal and County Government tonight:

Senate Bills Nos. 41, 42, 43, and 600.

Speaker Pro Tempore Presiding

At 3.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 217, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—54.

NOES—Hansen, Luckel, and Smith—3.

Bill ordered transmitted to the Senate.

(NOTE: Later in the day a notice of motion of reconsideration was given relating to the above bill.)

Speaker Presiding

At 3.45 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

ALL HOUSE RESOLUTIONS ORDERED PASSED ON FILE, TO HOLD THEIR PLACES ON FILE

By unanimous consent, all House resolutions were ordered passed on file, to hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 251—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1689—An act to add Chapter 2, consisting of Sections 6100 to 6106 to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 631

Mr. Sherwin asked for, and was granted unanimous consent to take up Assembly Bill No. 631, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 631

Assembly Bill No. 631—An act to add Section 306.5 to the Unemployment Insurance Act authorizing the investment of funds in the Unemployment Compensation Disability Fund in the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3222—An act to repeal Section 124 of, and to add Sections 124.1, 124.2, 124.3, and 124.4 to, the Welfare and Institutions Code, creating the Social Welfare Federal Fund and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, and Tomlinson—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, and Tomlinson—54.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 132—An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein; and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2808

Mr. Lowrey asked for, and was granted unanimous consent to take up Assembly Bill No. 2808, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2808

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3221

Mr. Sherwin asked for, and was granted unanimous consent to take up Assembly Bill No. 3221, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3221

Assembly Bill No. 3221—An act to repeal Sections 115 and 28450 of, and to add Sections 117, 118, 119, 120, 121, 28451, and 28452 to, the Health and Safety Code, creating the Public Health Federal Fund, making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—54

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson,

Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. Klocksiem arose to a question of personal privilege.

REQUEST FOR UNANIMOUS CONSENT TO READ PROPOSED HOUSE RESOLUTION

Mr. Klocksiem asked for unanimous consent that he be permitted to read a proposed House resolution, at this time.

Mr. McCollister withheld unanimous consent.

RESOLUTIONS

The following resolution was offered:

By Mr. Klocksiem:

House Resolution No. 208

Relative to requesting the Senate Committee on Governmental Efficiency to hold a hearing to consider Assembly Bill 3377

WHEREAS, Assembly Bill 3377 relating to gaming was passed by the Assembly and transmitted to the Senate where it was referred to the Senate Committee on Governmental Efficiency; and

WHEREAS, The bill was amended in the Senate on June 13, 1951, to provide for the abatement of certain gaming places as nuisances, but no hearing has been had by the Senate Committee on Governmental Efficiency on the bill as so amended; now, therefore, be it

Resolved by the Assembly of the State of California, That the Senate Committee on Governmental Efficiency is hereby requested to fix a time, prior to June 21, 1951, for hearing on Assembly Bill 3377 and to conduct a hearing thereon at which persons interested in said bill may be heard; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit a copy of this resolution to the Secretary of the Senate and the Chairman of the Senate Committee on Governmental Efficiency.

Resolution read.

Request for Unanimous Consent

Mr. Klocksiem asked for unanimous consent to take up House Resolution No 208, at this time, without reference to committee or file.

Mr. McCollister withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Klocksiem moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 208, at this time.

Mr. Collier seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Conrad, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McCarthy, McFall, Moss, Niehouse, Parker, Shaw, Sherwin, Silliman, Tomlinson, and Waters—35.

NOES—Brady, Dills, Dolwig, Doyle, Evans, Geddes, Lyon, Maloney, and McCollister—9.

Consideration of House Resolution No. 208

By Mr. Klocksiem:

House Resolution No. 208

Relative to requesting the Senate Committee on Governmental Efficiency to hold a hearing to consider Assembly Bill 3377

WHEREAS, Assembly Bill 3377 relating to gaming was passed by the Assembly and transmitted to the Senate where it was referred to the Senate Committee on Governmental Efficiency; and

WHEREAS, The bill was amended in the Senate on June 13, 1951, to provide for the abatement of certain gaming places as nuisances, but no hearing has been had by the Senate Committee on Governmental Efficiency on the bill as so amended; now, therefore, be it

Resolved by the Assembly of the State of California, That the Senate Committee on Governmental Efficiency is hereby requested to fix a time, prior to June 21, 1951, for hearing on Assembly Bill 3377 and to conduct a hearing thereon at which persons interested in said bill may be heard; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit a copy of this resolution to the Secretary of the Senate and the Chairman of the Senate Committee on Governmental Efficiency.

Resolution read.

Point of Order

Mr. Cooke arose to the following point of order: That the bill under discussion has gone through proper procedure in this House, and that the House resolution by Mr. Klocksiem is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because, under a suspension of the Rules, the resolution by Mr. Klocksiem is properly before the House.

The question being on the adoption of House Resolution No. 208.

Resolution Withdrawn

Mr. Klocksiem withdrew his resolution.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2631—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Caldecott moved a call of the Assembly.

Motion carried. Time, 4.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Burkhalter, Collier, Dickey, Dunn, Erwin, Grant, Grunsky, Gubser, Hinckley, Hollibaugh, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Morris, Munnell, Porter, Rosenthal, Shaw, Stanley, Thomas, and Tomlinson—24.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Smith asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3452—An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1216

At 4.52 p.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1216 refused passage by the following vote:

AYES—Beck, Belotti, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lincoln, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stanley, Thomas, and Waters—42.

NOES—Babbage, Berry, Brady, Burke, Clarke, Cloyed, Dickey, Dolwig, Erwin, Evans, Grant, Gubser, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McGee, Morris, Silliman, Smith, Stewart, Tomlinson, and Mr. Speaker—29

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 927—An act to add Section 30201 5 to, and to amend Section 30608 of the Streets and Highways Code, relating to toll bridges and the use of revenues therefrom, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 91—Relative to establishing roadside rests and parks in conjunction with the State Highway System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stewart, Thomas, and Waters—56.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 45—Relative to federal aid for child care centers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 96—Relative to water rights to the Santa Margarita-Temecula River System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen,

Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stewart, and Thomas—59

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3011

Mr. Silliman asked for, and was granted unanimous consent to take up Assembly Bill No. 3011, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3011

Assembly Bill No. 3011—An act to amend Sections 19360 and 19361 of the Government Code, relating to state employment, in respect to transfers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr Speaker—61.

NOES—Henderson—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Collier:

House Resolution No. 209

Relating to the installation of a telephone communication system on the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway is now inclosed by a wire fence, with entrances and exits which are far apart; and

WHEREAS, The need has been recognized by this Assembly, and after careful consideration, by the Department of Public Works, for an emergency telephone system by which motorists using the Arroyo Seco Parkway can summon aid and receive proper service when needed; and

WHEREAS, After full discussion of the problem, and investigation of the history and records of this parkway since its opening and the presently existing conditions, by responsible officials from those cities to be affected, and the Division of Highways, the installation of such an emergency communication system has been encouraged by them; now, therefore, be it

Resolved by the Assembly of the State of California, That a telephone system connecting with the Police Departments of the Cities of Los Angeles, Pasadena and South Pasadena be installed on the Arroyo Seco Parkway for use in traffic emergencies, that the type, extent, location, and method of operation of this system be one mutually agreed upon by the interested departments of such cities which will be responsible for its effective operation, and that the Division of Highways be directed to execute the necessary legal permits for this installation, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the California Highway Commission, to the Division of Highways and to the governing bodies of the Cities of Los Angeles, Pasadena, and South Pasadena

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Lincoln:

House Resolution No. 210

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study bidding procedures on Public Works projects

WHEREAS, There exists considerable confusion and cross purposes as to needed changes in the law relating to contracting and subcontracting of public work projects; and

WHEREAS, To properly ascertain what changes in existing law, if any, are necessary the matter should be referred to an interim committee of the Assembly for a study of the problems involved; and

WHEREAS, Such study should especially consider bidding procedures on public work projects as used in Division 5 of Title 1 of the Government Code with particular reference to the regulation and standardization of subcontractor's bids and the coordination of bidding procedures for a general contractor and his subcontractors; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and requested to ascertain, study, and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1279—An act to amend Sections 5081, 5082, 5084, and 5086 of, and to add Section 5066.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time, and ordered re-referred to the Committee on Education, by unanimous consent.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER BY MR. HAGEN BE RETURNED TO MR. HAGEN FROM STATEMENT BY MR. KILPATRICK

Mr. Hagen asked for, and was granted, unanimous consent that a letter, written by him, and included in the personal privilege statement by Mr. Kilpatrick, appearing elsewhere in the Journal, be deleted from said statement and be returned to him, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1809

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 1809, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1809

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of

taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

On page 9, line 42, of the printed bill, as amended in the Assembly on June 8, 1951, after "district," insert "provided, however, that said ad valorem tax or assessment shall not exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation,".

Amendment No. 2

On page 16, line 32, of the printed bill, as amended, strike out the period, and insert a semicolon and insert "provided, however, that materials and supplies for use in any new construction work or improvements, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars ($2,500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1108

Mr. Belotti asked for, and was granted unanimous consent to take up Senate Bill No. 1108, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1108

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on June 14, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 12, of said bill, strike out "commission", and insert "department".

Amendment No. 3

On page 2, line 10, of said bill, after "revocation", insert "by the commission".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 693

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 693, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 693

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 30, 1951, and insert "An act to add Section 2003 to the Government Code, relating to claims".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 2003 is added to the Government Code to read:

Sec. 2003. A cause of action against an employee of a district, county, city, or city and county for damages resulting from any negligence upon the part of such employee while acting within the course and scope of such employment shall be barred unless a written claim for such damages has been presented to the employing district, county, city, or city and county in the manner and within the period prescribed by law as a condition to maintaining an action therefor against such governmental entity."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 536

Mr. Tomlinson asked for, and was granted unanimous consent to take up Senate Bill No. 536, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 536

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803.5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Senate on May 28, 1951, strike out the first "or", and insert "of"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 182

Mr. Stanley asked for, and was granted unanimous consent to take up House Resolution No. 182, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 182

By Mr. Stanley:

House Resolution No. 182

Requesting the Assembly Interim Committee on Finance and Insurance to study, investigate and report on all possible alternative methods of financing public works projects

WHEREAS, The unprecedented increase in population in California during the last decade and the demand for additional public works facilities have far exceeded the construction, improvement and extension of such public works; and

WHEREAS, As a result of the present Korean conflict there is additional immediate need for sewers, streets, roads, highways, schools, water, health, refuse disposal, airport and other public facilities and buildings; and

WHEREAS, All such construction, acquisition, improvement, replacement and extension cannot and should not be financed from current revenue or from general obligation bonds; and

WHEREAS, Several bills have been introduced during the current session of the Legislature to provide reasonable alternative methods of financing such public works projects; and

WHEREAS, At hearings on bills on the subject during the current session of the Legislature, it has been found that the investment features for proposed bonds were of primary importance to banks and savings and loan and other financial institutions; and

WHEREAS, The standing committees of the Legislature which have considered bills on public works projects have recommended that the subject matter thereof be studied by an interim committee; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Finance and Insurance, or any similar committee created at the 1951 Session of the Legislature, be, and it hereby is, requested to study and investigate all possible alternative methods of financing public works projects, including, but not limited to, those methods which have been developed by other states and public agencies, and including all other matters relating to or in any way bearing upon the recitals of this resolution; and be it further

Resolved, That the committee submit a report and its recommendations to this Assembly on the subject matter of this resolution at the Budget Session of 1952.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 191

Mr. Stanley asked for, and was granted, unanimous consent to take up House Resolution No. 191, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 191

By Messrs. Stanley, Lincoln, Fleury, McCarthy, Moss, Lyon, McGee, and Geddes:

House Resolution No. 191

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to complete its study and investigation of conflicts in building laws and regulations

WHEREAS, Due almost entirely to the hearings by, and research of, the Assembly Interim Committee on Governmental Efficiency and Economy, the 1951 Session of the Legislature, is the first session in the last several where the Legislature has not had to consider dozens of complex and controversial building and housing law proposals; and

WHEREAS, Said interim committee already has recommended the course detailed study of the many conflicts in state and local building laws and regulations should take; and

WHEREAS, If such conflicting laws and regulations add only 1 percent to building costs, the unjustified cost annually to builders and the public is in excess of $20,000,000; and

WHEREAS, Codification of thousands of pages of state laws and building regulations and clarification of the State's organization to provide better direction and coordination of the State's interest in building construction activities is essential before such conflicts can be resolved; and

WHEREAS, Local building codes and purported excessive or restrictive requirements therein as to conditions or materials need careful consideration by objective experts; and

WHEREAS, Conflicts in the jurisdiction of the many state and local agencies charged with enforcement of the state and local laws and regulations is as expensive to the public and builders as conflicting laws; now therefore be it.

Resolved, by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy is directed to continue and complete its study and investigation of conflicts in state and local building laws and regulations and the enforcement thereof by state and local officers and to recommend all feasible means of eliminating such conflicts, including, but not limited to, codification of existing laws and regulations, coordination of State and local enforcement functions and all other matters relating to or in any way bearing on the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 200

Mr. Lyon asked for, and was granted unanimous consent to take up House Resolution No 200, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 200

By Messrs. Lyon, Belotti, Hagen, Gaffney, Cloyed, Lindsay, Morris, Dunn, Burkhalter, Cooke, Stanley, Brown, Crowley, Moss, Doyle, Burke, Dills, McMillan, Luckel, Collier, Clarke, Evans, Elliott, Hollibaugh, Condon, Grunsky, Sam L. Collins, Porter, Coats, Erwin, Brady, Berry, Lincoln, Rumford, Hawkins, Stewart, Grant, George D. Collins, Parker, Smith, Thomas, Meyers, Rosenthal, and Maloney:

House Resolution No. 200

Relating to the completion of the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works, as created by House Resolution 212 of the 1949 Regular Session of the Legislature, has not completed its report; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Chairman of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, is hereby appointed to complete the report of the committee.

2. All documents, reports, and other data of the Legislature and any other state department or agency, relating to the subject matter of the report, shall be made available for study and use in making the report. Every state officer and agency shall render such aid and assistance as is necessary for the completion of the report.

3 The subject matter of the report which applies to the organization in the Legislature in the field of research, fact-finding, planning, and programming may be printed in a separate document.

4. The sum of one dollar ($1) a week is hereby made available from the Contingent Fund of the Assembly to pay Charles M. Weber, who was chairman of such committee, for all the time which shall be required for the completion of the report.

5. The State Treasurer may accept contributions or gifts to be expended for the purpose of printing the report, and the Director of Finance is requested to authorize the report, when completed, as a state document.

6. Any department, bureau, or agency of the State Government which will require the use of the material to be printed in the completed report, may share in the expenses of printing

7. The report shall be submitted to such members of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, as are at present Members of the Legislature, for their approval, disapproval, or comment.

8 The printed reports shall be apportioned to the Legislature and to the Department of Finance for public distribution.

9 The printed reports shall be submitted to the Legislature on or before the commencement of the 1952 Regular Session of the Legislature.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 464

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 464, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 464 (As amended in Senate June 6, 1951)—An act to amend Section 303 of the Probate Code, relating to disqualification of judges;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended in the Senate on June 6, 1951, strike out "or participated in the preparation of a will".

DESMOND	GRUNSKY
BUSCH	CALDECOTT
REGAN	BROWN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 185

Mr. Brown asked for, and was granted unanimous consent to take up House Resolution No. 185, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 185

By Mr. Brown:

House Resolution No. 185

Relative to studying the continuous revision of the statute law by the Assembly Interim Committee on Judiciary

WHEREAS, By the enactment of the Financial Code and of the Public Utilities Code, as Chapters 364 and 764, respectively, of the Statutes of 1951, the Legislature has enacted the last two codes called for by the California Code Commission's long-recommended plan of organizing the statutes of the State into 24 codes; and

WHEREAS, It appears from the 1950 Report of the California Code Commission, heretofore filed with each of the Members of the Legislature, that the commission anticipates bringing its work of codifying the laws of the State to substantial completion by the time the 1953 General Session of the Legislature convenes; and

WHEREAS, The commission has recommended that the problem of "keeping the codes in shape" and the problem of carrying forward a program for continuous revision of the statute law, both in matters of form and substance, be made the subject of careful study during the interim between the 1951 and 1953 General Sessions of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary is authorized and directed to ascertain, study and analyze all facts relating to the subject matter of the recitals of this resolution, and particularly to the desirability of directing the California Code Commission or some other law

revision agency to undertake a continuing program of revising the statute law, including but not limited to a study of the experience of other states (such as the State of New York which has carried on such work over a period of years) and of the desirability of providing representation by Members of the Legislature on any such agency, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 187

Mr. Dickey asked for, and was granted unanimous consent to take up House Resolution No. 187, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 187

By Mr. Dickey:

House Resolution No. 187

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed three thousand five hundred dollars ($3,500), and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3434

Mr. Smith gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3434 was this day passed.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 3434

Mr. Beck moved to expunge the record, and rescind the action whereby the Assembly on this day passed Assembly Bill No. 3434.

Mr. Smith seconded the motion.

Roll Call Demanded

Messrs. Beck, Waters, and Smith demanded a roll call.

The roll was called, and the motion by Mr. Beck to expunge the record and rescind the action whereby the Assembly, this day, passed Assembly Bill No. 3434 lost by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Evans, Hansen, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, and Smith—38

NOES—Belotti, Burke, Caldecott, Collier, Conrad, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Kelly, Lindsay, Maloney, Morris, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—24.

Motion to Recall Assembly Bill No. 3434 From the Senate

Mr. Beck moved that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 3434 for further consideration.

Mr. Smith seconded the motion.

Point of Order

Mr. Waters arose to the following point of order: That the motion by Mr. Beck is a dilatory motion and not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken as the bill has not yet been released, by the desk, to the Senate.

Motion Withdrawn

Mr Smith withdrew his second.

Mr. Beck withdrew his motion.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ADOPTION OF URGENCY CLAUSE TO ASSEMBLY BILL NO. 2631

At 5.51 p.m , on motion of Mr. Caldecott, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2631 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—Babbage, Cloyed, Condon, Dickey, Evans, Hollibaugh, Kirkwood, Luckel, Lyon, Silliman, Smith, and Tomlinson—12.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—Babbage, Cloyed, Condon, Dickey, Evans, Hollibaugh, Kirkwood, Luckel, Lyon, Silliman, Smith, and Tomlinson—12.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2034

Mr. Caldecott asked for, and was granted unanimous consent to take up Assembly Bill No. 2034, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2034

Assembly Bill No. 2034—An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government

of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "of", and insert "or".

Amendment No. 2

On page 9, line 20, of said bill, strike out "not".

Amendment No. 3

On page 9 of said bill, strike out lines 34 to 50, inclusive; and on page 10, strike out lines 1 to 9, inclusive.

Amendment No. 4

On page 10 of said bill, between lines 43 and 44, insert

"(h) The equipment and maintenance of a police department or other police protection to protect and safeguard life and property."

Amendment No. 5

On page 11, line 21, of said bill, strike out "50", and insert "20".

Amendment No. 6

On page 11, line 46, of said bill, strike out "such reasonable conditions as", and insert "consent of".

Amendment No. 7

On page 12, line 3, of said bill, insert

"60626.5. All contracts for the construction of any unit of work, except as hereinafter provided, estimated to cost in excess of two thousand dollars ($2,000) shall be let to the lowest responsible bidder after competitive bidding. The board shall have the right to reject any and all bids, in which case the board may call for new bids. In the event no proposals are received or where the estimated cost of such work does not exceed the sum of two thousand dollars ($2,000) or where the work consists of emergency work necessary in order to protect life and property, the board of directors may have said work done by force account. The district shall have the power to purchase in the open market without calling for bids, materials and supplies for use in any work therewith either under contract, or by force account, provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand dollars ($2,000), without calling for bids and awarding the contract therefor to the lowest responsible bidder."

Amendment No. 8

On page 14, line 20, of said bill, after "semiannually", insert ", or in part annually and in part semiannually"

Amendment No. 9

On page 14 of said bill, between lines 21 and 22, insert

"(h) The date of the special district election (which may be consolidated with a general district election) at which such proposition shall be submitted to the voters; the hours between which the polls shall be open, the boundaries of voting precincts within the district or portion thereof benefited by incurring the bonded indebtedness; the location of polling places; and the names of the officers selected to conduct such election in each precinct, who shall consist of one judge, one inspector, and two clerks."

Amendment No. 10

On page 14 of said bill, strike out lines 22 to 25, inclusive, and insert

"60660. The resolution provided for in Section 60659 shall constitute the notice of such special bond election and such resolution shall be published in a newspaper of general circulation circulating within the district at least twice with an interval of at least six days between the first and last publication. Publication shall be complete at least six days before the election."

Amendment No. 11

On page 14 of said bill, between lines 42 and 43, insert

"60671 1. The bonds shall be signed by the president and countersigned by the secretary and the coupons shall be signed by the secretary All signatures except that of the secretary on the bonds may be printed, lithographed or engraved If any officer whose signature appears on the bonds or coupons ceases to be such officer before the delivery of the bonds, his signature is as effective as if he had remained in office. All bonds shall be payable at the office of the county treasurer, who is the depositary of the district pursuant to Section 60730."

Amendment No. 12

On page 14, line 45, of said bill, after "interest", insert "; provided that all bonds shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than 10 days prior to the date of sale, in a newspaper of general circulation circulating in the district. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale".

Amendment No. 13

On page 15 of said bill, strike out line 36, and insert

"(c) At prices determined in the resolution provided for in Section 60681."

Amendment No. 14

On page 16, line 19, of said bill, strike out "the cost thereof"; and strike out lines 20 and 21, and insert "provide that the cost thereof shall be assessed upon the lots and lands fronting on the streets or public places, or upon any district to be assessed therefor, which district need not be composed of lands contiguous to each other. The Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, the Street Opening Act of 1903, and the Street Improvement Act of 1913 are applicable to districts.

60716. In the application of said acts to proceedings under this section the terms used in said acts shall have the following meanings.

(a) "City council" and "council" mean board.

(b) "City" and "municipality" mean district.

(c) "Clerk" and "city clerk" mean secretary.

(d) "Superintendent of streets" and "street superintendent" and "city engineer" mean the general manager of the district or any other person appointed to perform such duties.

(e) "Tax collector" means county tax collector

(f) "Treasurer" and "city treasurer" mean the county treasurer who is the depositary of the district pursuant to Section 60730.

(g) "Right of way" means any parcel of land through which a right of way has been granted to the district for the purpose of constructing or maintaining or work or improvements which the district is authorized to do

60717. The powers and duties conferred by said acts upon boards, officers and agents of cities shall be exercised by the board, officers and agents of the district, respectively.

60718 The improvements authorized to be constructed or acquired by this section are restricted to those permitted to be constructed or acquired pursuant to Section 60600

60719 No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of the assessment in the proceedings under any of said acts and the diagram attached to said assessment shall be recorded in the office of the county surveyor of each county in which any part of the lands assessed are located and with the superintendent of streets of each city in which any part of said lands are located "

Amendment No. 15

On page 16 of said bill, strike out line 33, and insert

"60732. The county treasurer shall pay, when due, out of district money, all sums payable on outstanding bonds and coupons of the district; and the county treasurer shall pay any other sums out of district money,".

Amendment No. 16

On page 17, line 22, of said bill, strike out "assessment or assessments made by assessors", and insert "equalized assessment rolls"

Amendment No. 17

On page 17, line 25, of said bill, strike out "assessments shall be made and taxes", and insert "taxes shall be".

Amendment No. 18

On page 17 of said bill, strike out lines 32 to 34, inclusive, and insert "equalized assessment rolls of the respective counties."

Amendment No. 19

On page 17, line 38, of said bill, strike out ", using as a basis the value of"; and strike out lines 39 and 40, and insert "of assessed valuation, which rate of".

Amendment No. 20

On page 18, line 3, of said bill, after "furnish", insert "the State Board of Equalization and".

Amendment No. 21

On page 18, line 19, of said bill, strike out "for the district", and insert "who is the depositary of the district pursuant to Section 60730".

Amendment No. 22

On page 18, line 42, of said bill, after "district", insert "in the amount determined by agreement between the district and the board of supervisors".

Amendment No. 23

On page 19 of said bill, strike out lines 5 and 6 and "sisting" in line 7, and insert "60800. Contiguous land in a part of the district which consists".

Amendment No. 24

On page 19, line 13, of said bill, after "acreage", insert "and assessed value".

Amendment No. 25

On page 19, line 32, of said bill, after "acreage", insert "and assessed value".

Amendment No. 26

On page 20, line 35, of said bill, after "acreage", insert "and assessed value".

Amendment No. 27

On page 21, line 45, of said bill, strike out "county water".

Amendment No. 28

On page 22, line 8, of said bill, after "acreage", insert "and assessed value".

Amendment No. 29

On page 24, line 19, of said bill, strike out "UNINCORPORATED", and insert "INCORPORATED".

Amendment No. 30

On page 24 of said bill, after line 27, insert

"60891. Whenever a portion of the territory comprising a district becomes a part of an incorporated city such portion may be withdrawn from the district in the manner provided for the withdrawal of territory from county sanitation districts by Division 5, Part 3, Chapter 3, Article 8b of the Health and Safety Code."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FURTHER CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2249

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "add Section 6360 to", and insert "amend Section 6358 of".

Amendment No. 2

In line 3 of the title of said bill, before the period, insert "declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6358 of the Education Code is amended to read:

6358. [Any maximum rate of tax for any district may be increased] *Any maximum rate of tax for any district may be increased and, having been increased, may be decreased by an amount equal to or less than the amount of such increase,* by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion and shall be [called whenever a petition requesting that an election be called and signed by 10 percent of the qualified electors of the district is presented to the governing board] *called within 90 days after the filing with the governing board of a petition signed by not less than 10 percent of the qualified electors of the district, requesting that an election be called, unless the petitioners request that the election be consolidated with the annual election for members of the governing board.*

Any decrease in an increased maximum tax rate pursuant to this section shall not be in an amount which will reduce the tax rate for the district below the maximum specified in Section 6377. The governing board shall determine whether the increase or decrease shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time. If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot

The governing board of the school district shall call, hold, and conduct the election. Except as provided in this section, the election shall be called, held, and conducted *by the governing board of the school district* in as nearly the same manner as is practicable as are elections for governing board [, except that]. Notices of the election [need not] *shall* be posted or *publication completed* [published more than] *at least* 30 days before the election. The ballot used in the election shall contain substantially the words "*shall* [for] the proposed *(*increase *decrease)* in the maximum tax rates from _____ to _____, [to provide money for the purpose of _____.] *(*such rate to be in effect in the _____ school district for the year (or years) 19___ to 19_____, *) be authorized?*" [_____ yes" and "for the proposed increase in the maximum tax rates from _____ to _____, to provide money for the purpose of _____, such rate to be in effect in the _____ school district for the year (or years) 19___ to 19___, _____ no"] *Opposite such words, in separate lines, the words "yes" and "no" shall be printed, with a voting square opposite each such word.* Each voter shall stamp or print a cross *in the voting square* after the answer he desires to give *If the maximum tax rate of a district has been increased prior to the effective date of the amendment to this section at the 1951 Regular Session of the Legislature, a petition requesting an election for the decrease of such increased tax rate shall not be filed until three years after such effective date. If the maximum tax rate is increased pursuant to this section after such effective date, no petition requesting an election for a decrease in such increased tax rate shall be filed for one year after such election at which the tax rate was increased.*

If an election for a decrease in an increased maximum tax rate of a district is held in any year prior to or concurrently with the district election for governing board members, any decrease adopted at such election shall become effective on July 1 following the election If an election for a decrease in an increased tax rate of a district is held in any year after the date of the district election for governing board members, any decrease adopted at such election shall not become effective until July 1 of the next succeeding year."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 12, inclusive; and on page 2, strike out lines 5 to 11, inclusive.

Amendment No. 5

On page 2 of said bill, after line 17, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

It will be necessary for many school districts to hold elections in the months of June, July, and August, 1951, in order to change the maximum tax rate for the district before the next tax levy is made. Under the provisions of this act, a school district may decrease its tax rate, and, if the rate is proposed to be increased, it is not necessary that the ballot question specify the purpose for which the proceeds of any increase are to be applied, nor is it necessary to limit the period of time during which such increase or decrease will be effective Unless this act takes effect immediately any decrease or increase in the tax rate voted for pursuant to the act will not be effective in time to be used for the next tax levy. In order that school districts, the tax rates of which are a matter of urgent concern to all the people of the State, may take advantage of this act before the next tax levy is made and to avoid a year's delay, it is urgently necessary that this act take effect immediately"

DILWORTH	KIRKWOOD
HULSE	DOYLE
ED. C. JOHNSON	BURKE
Senate Committee on Conference	Assembly Committee on Conference

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

The question being on the adoption of the report of the Committee on Conference concerning Assembly Bill No. 2249.

The roll was called, and the report adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2249 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 116
Senate Bill No. 119

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 93

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 93—Relative to the creation of the Joint Committee on State Printing.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 216
Senate Bill No. 300
Senate Bill No. 450
Senate Bill No. 451
Senate Bill No. 484
Senate Bill No. 512
Senate Bill No. 1054
Senate Bill No. 1227
Senate Bill No. 1515
Senate Bill No. 1531
Senate Bill No. 1564
Senate Bill No. 1687
Senate Bill No. 1838

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 216—An act to amend Sections 502, 502.1, 502.2, 511.5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps

Referred to Committee on Military Affairs.

Senate Bill No. 300—An act to amend Sections 5153.5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Referred to Committee on Education.

Senate Bill No. 450—An act amending Section 27186 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 451—An act to add Section 27250 to the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Referred to Committee on Agriculture.

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the poultry and animal disease diagnostic and testing laboratory at Petaluma.

Referred to Committee on Agriculture.

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1227—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 1515—An act relating to the state teletypewriter system.

Referred to Committee on Ways and Means.

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Referred to Committee on Agriculture.

Senate Bill No. 1687—An act to add Chapter 1.5 (consisting of Sections 20161 to 20164, inclusive) to Division 10 of the Education Code, relating to the McGeorge College of Law, and making an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Elliott asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to Party National Conventions, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 31, 1951

Honorable Edward E. Elliott
Assembly Chamber

PARTY NATIONAL CONVENTIONS—No. 7632

DEAR MR. ELLIOTT:

Question

You have asked us the following question:

Is California entitled to additional delegates at the next Republican and Democratic Party National Conventions as a result of gaining increased congressional representation under the 1950 Federal Census, or will it not obtain an increased number of delegates until 1956?

Opinion

The number of delegates to the party national conventions are determined by the national rules of each party. As those rules now stand, and as we interpret them, California would be entitled to 14 new delegates at the next Democratic National Convention, but will probably be entitled to no additional delegates at the next Republican Party National Convention.

Analysis

Section 2050 of the Elections Code provides that the Chairman of the State Central Committee of each political party qualified to participate in the presidential primary shall notify the Secretary of State on or before the first day in March immediately preceding the presidential primary as to the number of delegates to represent the State in the next national convention of the party.

Section 2052 provides that if a chairman of a state central committee fails to file a notice of the number of delegates, the Secretary of State shall ascertain the number from the call for the national convention issued by the national committee of the party. Section 2053 requires the Secretary of State in turn to notify the county clerks of the number of delegates to be elected by each political party.

The method by which the national committee of each party determines the number of delegates to its national convention to which each state is entitled is a matter of rule of the particular party, rather than a matter of law.

The national rules of the Democratic Party provide that in the Democratic convention each state is entitled to twice as many delegates as it has presidential electors, plus two delegates at large if it went Democratic at the last presidential election.

The rules of the Republican Party provide that each state is entitled to four delegates at large; two for each Congressman at large; one for each congressional district having cast at least 1,000 Republican votes, and an additional one if it cast 10,000 Republican votes; and a bonus of three delegates at large if it went Republican at the last presidential election or if it later elected a Republican United States Senator.

California is entitled to seven new Congressmen under the reapportionment based upon the 1950 Federal Census. Accordingly, the State is also entitled to seven additional presidential electors (U. S. Const., Art. II, Sec. 1).

It would appear, therefore, that the State is entitled to 14 new delegates at the next Democratic National Convention, pursuant to the present rules of that party.

Under the rules of the Republican Party, however, it would appear that California will have no additional delegates to the national convention based upon the number of additional Congressmen to which the State is entitled, since it will be impossible to determine how many new delegates should be authorized until the number of votes in the new congressional districts formed at this session of the Legislature is established. This cannot be ascertained until after the 1952 elections, which will occur subsequent to the national convention. Accordingly, as we interpret the rules of the Republican Party, the number of delegates to the national convention from California will be determined on the basis of the congressional districts of California as they existed before the reapportionment, unless such rules are amended to provide otherwise.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 201

Mr. Coats asked for, and was granted unanimous consent to take up House Resolution No. 201, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 201

By Mr. Coats:

House Resolution No. 201

Relative to a study of the Purity of Elections Laws by the Assembly Interim Committee on Elections and Reapportionment

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections Laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature.

Resolution read.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

In the title, strike out the last two words "and Reapportionment".

Amendment read, and adopted.

Consideration of House Resolution No. 201, as Amended

By Mr. Coats:

House Resolution No. 201

Relative to a study of the Purity and Elections Laws by the Assembly Interim Committee on Elections

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections Laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature

Resolution read, as amended, and adopted.

MEMBER EXCUSED

At 5.55 p.m., Mr. Brown asked for, and was granted, unanimous consent that Mr. Dunn be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1947

Mr. Brown asked for, and was granted unanimous consent to take up Assembly Bill No. 1947, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1947

Assembly Bill No. 1947—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—58.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3326

Mr. McCarthy asked for, and was granted unanimous consent to take up Assembly Bill No. 3326, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3326

Assembly Bill No. 3326—An act to add Section 2611 to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—51.

NOES—Beck, Doyle, and Luckel—3.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cooke:

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

"An act to add Section 12.5 to the Ventura County Flood Control Act, relating to powers and duties of the Ventura County Flood Control District."

Respectfully submitted.

J. B. COOKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Cooke:

"An act to add Section 12.5 to the Ventura County Flood Control Act, relating to powers and duties of the Ventura County Flood Control District."

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3459: By Mr. Cooke—An act to add Section 12.5 to the Ventura County Flood Control Act, relating to powers and duties of the Ventura County Flood Control District.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST THAT HOUSE RESOLUTIONS BE TRANSPOSED ON DAILY FILE

Mr. Geddes asked for, and was granted, unanimous consent that House Resolution No. 195 be transposed on file, and that it follow House Resolution No. 194 on the Daily File, for the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR SPEAKER · Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 2640

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks;

Assembly Bill No. 305—An act to add Section 172b to the Penal Code, relating to selling or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 322—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 384—An act to add Section 31648 1 to the Government Code, relating to the retirement of county employees and officers and attaches of the superior court;

Assembly Bill No. 417—An act to amend Sections 8530, 8550, 8602, 8625, 8642, and 8645 of the Eelections Code, relating to election contests;

Assembly Bill No. 465—An act to amend Section 108 of the Civil Code, relating to divorce;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 519—An act to amend Section 1198 of the Insurance Code, relating to insurance;

Assembly Bill No. 543—An act to add Section 6404.1 to the Labor Code, relating to safety devices and safeguards;

Assembly Bill No. 997—An act to provide for the number and succession of judges in municipal court judicial districts in Los Angeles County;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1194—An act to amend Sections 2, 3, 4, 5, 8, 13, 14, 20, 30, 33, 35, and 38 of, and to add Section 3a to, the Municipal and Justice Court Act of 1949, relating to municipal and justice courts;

Assembly Bill No. 1526—An act to amend Sections 8561, 8569, and 8570 of, and to add Sections 8516, 8517, and 8652 to, the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board;

Assembly Bill No. 1568—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities;

Assembly Bill No. 2327—An act to add Sections 214.3 and 214.4 to the Revenue and Taxation Code, relating to exemptions from property taxes;

Assembly Bill No. 2435—An act to amend Section 10051.1 of the Elections Code, relating to consolidation of elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2574—An act to amend Section 21658 of the Water Code, relating to nominating petitions, their form and time for filing for elections in irrigation districts;

Assembly Bill No. 2599—An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts;

Assembly Bill No. 2704—An act to add Section 30 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair, and maintenance and the assessment of property benefited by those works;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy;

Assembly Bill No. 3116—An act to add Section 25464 to the Government Code, relating to payments on county construction contracts;

Assembly Bill No. 3316—An act to amend Section 626 of the Agricultural Code, relating to skim milk;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3396—An act to amend Section 31157 of the Water Code, relating to county water districts;

Assembly Bill No. 3428—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 66—Relative to the declaration of August 16, 1951, as Loyal Order of Moose Day in California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Senate Bill No. 1625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 8 of the printed bill, as amended May 25, 1951, strike out lines 32 to 51, inclusive

Amendment No. 2

On page 9 of the printed bill, strike out lines 1 to 3, inclusive

Amendment No. 3

On page 9, line 27, of the printed bill, strike out the comma after "Fund", and insert a period; strike out all of line 28.

Amendment No. 4

On page 9, lines 35 and 36, of the printed bill, strike out "or the Board of Nurse Examiners Fund".

Amendment No. 5

On page 1, line 13, of the printed bill, after "consisting of", strike out "eight", and insert "seven".

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "one member shall be a nurse educator", and insert

"One member shall be a registered nurse who shall have had not less than five years' experience as a teacher or administrator in an accredited school of nursing offering a program of study in professional nursing under the provisions of Article 6, Division 2 of the Business and Professions Code,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 19	Assembly Bill No. 1623
Assembly Bill No. 797	Assembly Bill No. 1628
Assembly Bill No. 1204	Assembly Bill No. 1802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 30, 1951, after "million", insert "dollars ($1,000,000)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "five hundred thousand dollars ($1,500,000)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "four", and insert "two".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 797—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "buildings and improvements", and insert "a vocational training building".

Amendment No. 2

On page 1, lines 2 and 3, of said bill, strike out "eight hundred forty-eight thousand three hundred forty dollars ($848,340)", and insert "three hundred eighty-five thousand dollars ($385,000)".

Amendment No. 3

On page 1, lines 5 and 6, of said bill, strike out "buildings and improvements", and insert "a vocational training building".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read second time.

On June 18, 1951, the Assembly expunged the record and rescinded the action whereby amendments offered by the Committee on Ways and Means to Assembly Bill No. 1204 were this day adopted. (See pages 5778-5779.)

Assembly Bill No. 1623—An act to amend Sections 20864, 20921, 20922, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258.1, 21258.2, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "21361,".

Amendment No. 2

On page 7 of said bill, strike out lines 20 to 47, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1628—An act to amend Section 21362 of the Government Code, relating to the State Employees' Retirement System in respect to installment payment of benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 33, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "28.26", and insert "28.35".

Amendment No. 2

On page 2, line 38, of said bill, strike out "7.28", and insert "7.31".

Amendment No. 3

On page 2, line 43 of said bill, strike out "17.12", and insert "17.2".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1802—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1951, after "of", insert ", and to add Section 12302.5 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "salaries of State Treasurer's assistants", and insert "State Treasurer".

Amendment No. 3

On page 1, line 4, of said bill, strike out "nine thousand five hundred dollars"; and strike out all of lines 5 to 9, inclusive, and insert "ten thousand dollars ($10,000). He also may appoint and fix the salaries, subject to the provisions of the Civil Service law, of such officers and employees as may be necessary to carry out the duties of his office

SEC. 2. Section 12302.5 is added to the Government Code to read:

12302.5. The Treasurer may appoint as civil executive officers one bond officer, one deposit officer, one vault officer, one bookkeeper, one principal accountant, and one secretary-stenographer."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 471	Assembly Bill No. 1262
Assembly Bill No. 853	Assembly Bill No 1665
Assembly Bill No. 976	Assembly Bill No. 2372
Assembly Bill No. 1257	Assembly Bill No. 2696
Assembly Bill No. 1260	Assembly Bill No. 3247
Assembly Bill No. 1261	Assembly Bill No. 3248

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Concurrent Resolution No. 97

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

EVANS, Chairman

Above reported resolution ordered engrossed.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2330	Assembly Bill No. 2596
Assembly Bill No. 2544	Assembly Bill No. 3385
Assembly Bill No. 2595	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2330—An act to amend Sections 19601, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7, 19601.8, and 19607.1 to, and to repeal Sections 19601.5, 19613.5, and 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 4 of the title of the printed bill, after "centers," insert "making an appropriation therefor,"

Amendment No. 2

On page 4 of said bill, between lines 14 and 15, insert

"SEC. 11.5. The sum of six million, twenty-seven thousand dollars ($6,027,000) is hereby appropriated out of the General Fund to the Department of Education to be used for the support of child care centers for the 1951-52 Fiscal Year and for the cost to the department of administering this act. The amount hereby appropriated shall be apportioned by the department directly to school districts maintaining child care centers pursuant to Chapter 11, Division 9 of the Education Code and to the governing authorities of state institutions maintaining child care centers, in the discretion of the department, upon the basis of demonstrated need. Of the sum hereby appropriated not to exceed forty-four thousand dollars ($44,000) may be expended by the department in making apportionments and for supervision of child care centers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2544—An act making an appropriation to the Regents of the University of California for the augmentation and expansion of the teaching program of the Colleges of Engineering in the field of construction engineering.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 4, of the printed bill, after "expenditure", insert "during the 1951-52 Fiscal Year".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2595—An act to amend Section 13002 of the Government Code, relating to the salary of the Director of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "twenty thousand dollars ($20,000)", and insert "seventeen thousand five hundred dollars ($17,500)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2596—An act to amend Section 14002 of the Government Code, relating to the salary of the Director of Public Works.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "twenty thousand dollars ($20,000)", and insert "seventeen thousand five hundred dollars ($17,500)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3385—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "Section 13115.5", and insert "Sections 13115.5 and 13115.6".

Amendment No. 2

On page 2 of said bill, after line 40, insert

"SEC. 2. Section 13115.6 is hereby added to the Government Code, to read:

13115.6. Such amount as may be necessary to pay monthly the amount required for liquidation of the investment, with interest at the rate agreed upon between the parties, in any agreements entered into between the State Department of California Highway Patrol, and any other state agency, pursuant to the provisions of Section 13115.5 of the Government Code, is hereby appropriated each fiscal year from the Motor Vehicle Fund in the State Treasury. The money herein appropriated shall be allotted to the State Department of California Highway Patrol by the Director of Finance for support in such amounts as he may determine to be necessary, and shall become available only if the Department of Finance certifies to the State Controller that the amount required monthly to liquidate the investment, with interest at the rate agreed upon, has not been included in the Budget Act for such fiscal year for support of said departments."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3445

Has had the same under consideration, and respectfully reports the same back without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3445—An act to add Division 8a, comprising Sections 445 to 455.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Concurrent Resolution No. 98

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

BROWN, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 104: By Mr. Lincoln—Relative to the marriage of Charles W. Meyers.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Adjournment—

Municipal and County Government, in Room 2170.

Organizational meeting of Rules, in office of Speaker.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Anabell Bettencourt and Mrs. A. T. Bettencourt of Turlock.

On request of Mrs. Niehouse and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Lt. and Mrs. Howard Clayton of San Diego.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Joseph Sheerin of Visalia.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Alvin Cibula, Sr., and Alvin Cibula, Jr., of Redding.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fanchon Derrough of San Francisco.

ADJOURNMENT

At 6.03 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Monday, June 18, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-THIRD LEGISLATIVE DAY

ONE HUNDRED FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 18, 1951

The Assembly met at 9.30 a.m.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

Quorum present.

Request for Unanimous Consent That Name of Member Attending Meeting in Senate Be Placed Upon Morning Roll Call

Mr. Conrad asked for, and was granted, unanimous consent that the name of a member attending a meeting in the Senate on the Child Care Center Bill, at this time, be placed upon the morning roll call as follows:

Mr. Geddes.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

O God Most Holy, Wise and Powerful, We acknowledge Thee as the Preserver and Governor of all Thy creatures Keep us this day in that health of mind and body, in purity of heart and cheerfulness, that we may serve our Nation and our fellow men. Grant guidance for the duties just before us.

"To serve the present age,
Our calling to fulfill!
O may it all our powers engage,
To do our Master's will!"

We ask it in His name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kirkwood, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Fleury, on motion of Mr. Moss.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Erwin asked for, and was granted, unanimous consent that a letter of transmittal, accompanying the Report of the Assembly Interim Committee on Fish and Game, which has been printed as a separate document, be ordered printed in the Journal, in 10 point type, as follows:

REPORT OF ASSEMBLY INTERIM COMMITTEE ON FISH AND GAME

Pursuant to House Resolution No. 251, California Legislature, Regular Session of 1949

Letter of Transmittal

May 1, 1951

Mr. Speaker and Members of the Assembly

Pursuant to House Resolution No. 251, adopted by the California State Legislature on June 29, 1949, and continued by House Resolution No. 28, adopted on January 10, 1951, your Interim Committee on Fish and Game submits herewith its report.

Respectfully submitted.

THOMAS M. ERWIN, Chairman
GEORGE R. BUTTERS *
EVERETT G. BURKHALTER
LESTER T. DAVIS
THOMAS J. DOYLE
GORDON R. HAHN
L. STEWART HINCKLEY
FRANCIS C. LINDSAY
EARL W. STANLEY
VINCENT THOMAS

Original copy of above transmitted report ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 63

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

* Deceased April 24, 1951.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 97
Assembly Concurrent Resolution No. 98

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 19
Assembly Bill No. 797
Assembly Bill No. 1623
Assembly Bill No. 1628
Assembly Bill No. 1802
Assembly Bill No 2034

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1193
Assembly Bill No. 1797
Assembly Bill No. 2250
Assembly Bill No. 2330
Assembly Bill No. 2382
Assembly Bill No 2544
Assembly Bill No. 2595
Assembly Bill No. 2596
Assembly Bill No. 2835
Assembly Bill No. 2836
Assembly Bill No. 3193
Assembly Bill No. 3385
Assembly Bill No. 3442
Assembly Bill No. 3456

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No 2843

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1204

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2843 re-referred to the Committee on Revenue and Taxation.

On this day, the Assembly expunged the record, and rescinded the action whereby Assembly Bill No. 1204 was re-referred to the Committee on Revenue and Taxation. (See page 5778.)

Senate Bill No 1625 re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Concurrent Resolution No. 39

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 191
Assembly Bill No. 748
Assembly Bill No 1049
Assembly Bill No. 1495
Assembly Bill No. 1785
Assembly Bill No. 1864
Assembly Bill No 1967
Assembly Bill No. 2806
Assembly Bill No 2895
Assembly Bill No. 2910
Assembly Bill No. 2914
Assembly Bill No. 2942
Assembly Bill No. 3175
Assembly Bill No 2072

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 88

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 101
Assembly Bill No. 710
Assembly Bill No. 964
Assembly Bill No. 1266
Assembly Bill No. 1472
Assembly Bill No. 1474
Assembly Bill No. 1865
Assembly Bill No. 2252
Assembly Bill No. 2363
Assembly Bill No. 2502
Assembly Bill No. 2553
Assembly Bill No. 2597
Assembly Bill No. 2776
Assembly Bill No. 2800
Assembly Bill No. 2922
Assembly Bill No. 2943
Assembly Bill No 3165
Assembly Bill No. 3414
Assembly Bill No. 3432
Assembly Bill No. 1236

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 250
Assembly Bill No. 290
Assembly Bill No 676
Assembly Bill No. 682
Assembly Bill No. 971
Assembly Bill No. 1097
Assembly Bill No 1228
Assembly Bill No 1231
Assembly Bill No. 1233
Assembly Bill No 1237
Assembly Bill No. 1238
Assembly Bill No. 1239
Assembly Bill No. 1265
Assembly Bill No. 1267
Assembly Bill No 1579
Assembly Bill No. 1633
Assembly Bill No. 1634
Assembly Bill No. 1731
Assembly Bill No. 1783
Assembly Bill No. 1996
Assembly Bill No. 2286
Assembly Bill No. 2370
Assembly Bill No. 2449
Assembly Bill No. 2577
Assembly Bill No. 2621
Assembly Bill No. 2622
Assembly Bill No. 2719
Assembly Bill No. 3239
Assembly Bill No. 3411
Assembly Bill No 3418
Assembly Bill No. 3446

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 567
Senate Bill No. 810
Senate Bill No. 1072

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 424
Assembly Bill No. 516
Assembly Bill No. 1045
Assembly Bill No. 2018
Assembly Bill No. 2844
Assembly Bill No. 2894
Assembly Bill No. 3213

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 66
Senate Bill No. 439
Senate Bill No. 695
Senate Bill No. 729
Senate Bill No. 771
Senate Bill No. 783
Senate Bill No. 979
Senate Bill No. 1209
Senate Bill No. 1535
Senate Bill No. 1671
Senate Bill No. 1839
Senate Bill No. 1840
Senate Bill No. 1842

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 66—An act to amend Section 3 of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the time during which said act shall remain in effect.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 439—An act to amend add Section 4901.7 to the Education Code, relating to the selection of members of the county committee on school district organization.

Referred to Committee on Education.

Senate Bill No. 695—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Referred to Committee on Judiciary.

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Referred to Committee on Public Health.

Senate Bill No. 771—An act to amend Sections 443 and 448 of the Education Code, relating to the salaries of county superintendents of schools of counties of the forty-third and forty-eighth classes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 783—An act defining and regulating the practice of shorthand reporting; creating a State Board of Examiners of Shorthand Reporters in the Department of Professional and Vocational Standards, and providing for its duties and powers; providing for the examination and certification of shorthand reporters, with the designation "certified shorthand reporter"; creating the Shorthand Reporter's Fund and making an appropriation; and prescribing penalties for violations of this act.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 979—An act to amend Section 447 of the Education Code, relating to county school superintendents' salaries in counties of the forty-seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1209—An act to amend Section 10 of the Property Acquisition Act relative to repairs and improvements on state property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1535—An act to amend Section 20804 of, to add Sections 20804.5 and 21254 to, and to repeal Section 20833 of, the Government Code, relating to the State Employees' Retirement System in respect to credit for time spent in the employment of the State or of a contracting agency prior to commencement of membership therein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical, and biological sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Referred to Committee on Public Health.

Senate Bill No. 1839—An act to amend Section 28148 of the Government Code, relating to compensation for public service in counties of the forty-eighth class

Referred to Committee on Municipal and County Government.

Senate Bill No. 1840—An act to add Section 115 to the Business and Professions Code, relating to the reinstatement of licenses by persons serving in the Armed Forces.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1842—An act to amend Section 449 of the Education Code, relating to county school superintendent's salary in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1201?

Amendment No. 1

In line 26 of the printed bill, after "hearing", insert "; provided however, that the defendant when charged with a misdemeanor shall be admitted to bail pending decision of the appeal or petition for hearing when the order discharging the defendant was made prior to his conviction".

Amendment No. 2

In line 6 of the printed bill, as amended in the Senate on May 18, 1951, after "fendant", insert "after his conviction".

Amendment No. 3

In line 8 of said bill, as amended, after "cases", insert "after conviction of the defendant"

Amendment No. 4

In line 22 of said bill, as amended, strike out "; provided, how-", and insert a period.

Amendment No. 5

Strike out all of lines 23, 24, 25, and 26 of said bill, as amended

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1201 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Grant, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Landsay, Luckel, Lyon, McCarthy, McCollister, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1201 ordered enrolled.

ALL HOUSE RESOLUTIONS ORDERED PASSED ON FILE, TO HOLD THEIR PLACES ON FILE

By unanimous consent, all House resolutions were ordered passed on file, and to hold their places on file on the next legislative day.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, upon recess or adjournment this afternoon, all committee chairmen who have House resolutions pending on file relating to interim committees are requested to appear before the new Committee on Rules and explain the necessity for said committees, how much money is required, and why.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2034—An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Caldecott moved a call of the Assembly.

Motion carried. Time 9.52 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Condon, Crowley, Davis, Dills, Dunn, Elliott, Evans, Grant, Grunsky, Hawkins, Levering, Lincoln, Lowrey, Maloney, McCarthy, McFall, McGee, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, and Tomlinson—34.

Further Proceedings Under Call of the Assembly Dispensed With on Assembly Bill No. 2034

At 9 58 a.m., on motion of Mr. Caldecott, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2034 passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Landsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—49.

NOES—Beck, Hagen, and Henderson—3

Bill ordered transmitted to the Senate.

RECESS

At 10 a.m., on motion of Mr. Hollibaugh, the Assembly recessed until 11 a.m., for the purpose of permitting members to appear before Senate committees on behalf of their bills, and to permit the new Rules Committee to meet in the Office of the Speaker.

REASSEMBLED

At 11 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 211

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1951 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1951 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1951 Regular Session. He shall also have charge of compiling, preparing, and having printed after adjournment, a final calendar of the legislative business of the 1951 Regular Session, said calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the final calendar is prepared, said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a Bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a Bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the members of the status of each individual bill introduced during the session.

He shall mail a copy of said Bulletin to each Member of the Assembly and to each person making a request for a copy of the same; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same until the said work has been completed, and such sums shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 212

Resolved, That the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Assembly Contingent Fund for telephone service, telegraph service, postage, supplies, bills from state departments, and other incidental expenses in completing the work of the 1951 Regular Session of the Assembly and maintaining the Assembly chamber and offices until the convening of the next Regular Session of the Assembly, to be disbursed, after certification by the Chief Clerk of the Assembly supported by vouchers, upon warrants drawn by the Controller.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 213

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of eighteen hundred dollars ($1,800), in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and

the State Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1951 Regular Session of the Assembly of the State of California.

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

A communication from A. M. Morris, Assistant City Clerk of the City of Los Angeles urging continuance of child care centers, was received, and ordered referred to the Committee on Social Welfare.

By the Chief Clerk:

A communication from Mrs. W. E. Simpson, expressing appreciation to the Assembly for the adoption of a resolution on May 1, 1951, in memory of her late husband, William E. Simpson, former District Attorney of Los Angeles County, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 211
House Resolution No. 212
House Resolution No. 213

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 100

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 303
Senate Bill No. 819
Senate Bill No. 846
Senate Bill No. 847
Senate Bill No. 1115
Senate Bill No. 1116
Senate Bill No. 1439
Senate Bill No. 1550
Senate Bill No. 1637

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 303—An act to amend Section 434 and 451 of the Education Code, relating to county school superintendents' salaries in counties of thirty-fourth and fifty-first classes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 819—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 846—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1115—An act to amend Section 737ss of the Political Code and Section 79.45 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1116—An act to amend Section 737aaa of the Political Code and Section 79.53 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1439—An act to amend Section 9614 of the Education Code and to add Section 9614.1 to said code, all relating to the computation of attendance of physically handicapped minors.

Referred to Committee on Education.

Senate Bill No. 1550—An act to add Section 20334.1 to the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1637—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.55 to the Alcoholic Beverage Control Act, relating to use of cartons

Referred to Committee on Boards and Commissions.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1054 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Lindsay asked for, and was granted, unanimous consent that Senate Bill No. 1054 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENT

Mr. Beck announced a luncheon meeting and Democratic Caucus today upon recess, at the Hotel Sacramento.

RECESS

At 11.28 a.m., on motion of Mr. Dills, the Assembly recessed until 1.30 p m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 100

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Burke asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 100, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 100

Assembly Concurrent Resolution No. 100—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the fifth day of June, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Mr Speaker—50.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: The Committee on Conference concerning.

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 4, 1951, after line 29, insert

"SEC. 3. This act shall become operative as of January 1, 1952."

McBRIDE	GEDDES
MILLER	HOLLIBAUGH
BYRNE	LEVERING
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—None.

Speaker Pro Tempore Presiding

At 1.37 p.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Hon. Randal F. Dickey Presiding

At 1.38 p.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2382—An act to amend Section 17003, and to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the arrest of truants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Thomas—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2501

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 2501, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2501

Assembly Bill No. 2501—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Bill read third time.

Point of Order

Mr. Levering arose to the following point of order: That Mr. Munnell is not speaking to the question.

Ruling by Speaker

Acting Speaker Dickey ruled the point of order well taken.

Demand for Previous Question

Messrs. Lanterman, Hansen, Luckel, Collier, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2501.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 2.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Sam L. Collins, Grant, Luckel, Morris, Silliman, and Stewart—7.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Beck moved that the Rules be temporarily suspended for the the purpose of considering any matter on file, at this time.

Mr. Lincoln seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Tomlinson, and Waters—51.

NOES—Condon, Dunn, Evans, Hansen, Lowrey, and Silliman—6

Speaker Pro Tempore Presiding

At 2.25 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3193—An act to amend Section 3671 of the Education Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, June 11, 1951; Tuesday, June 12, 1951; Wednesday, June 13, 1951; ~~and Thursday, June 14, 1951~~ were approved as corrected by the Minute Clerk.

On this day the Assembly expunged the record and rescinded the action whereby the Journal for Friday, June 15th, was approved. (See page 5777.)

On June 19th, the Assembly rescinded the action whereby the Journal for Thursday, June 14th, was approved. (See page 5924.)

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Beck:

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Respectfully submitted.

JULIAN BECK

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Beck:

An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time.

Assembly Bill No. 3460: By Mr. Beck (By Request of Messrs. Rosenthal, Burkhalter, Chapel, Erwin, Grant, Hollibaugh, Levering, Lyon, Munnell, Porter, Smith, and Thomas)—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 3460

Mr. Beck asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3460.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2061

Mr. Kirkwood asked for, and was granted unanimous consent to take up Assembly Bill No. 2061, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2061

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9, and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes of 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812, and 7091 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812, and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Stanley asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Aviation be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Stanley asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and report be ordered printed as a separate document, and that 500 copies be printed.

EXPLANATION OF FAILURE TO VOTE ON ASSEMBLY BILL NO. 1216

When Assembly Bill No. 1216 was presented on Friday, June 15th, I had been excused by the Assembly for the afternoon in order to attend my daughter's graduation from the University of California, Berkeley, California.

Since legislative business, in connection with Assembly Bill No. 1015, (in June, 1947) had prevented my attending her graduation from high school, I felt that this absence was justifiable.

Had I been present, I would have voted "Aye" on Assembly Bill No. 1216, providing for state assistance to the permanently and totally disabled

FRANCIS DUNN, JR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2664—An act to amend Sections 3017, 3018 and 3019 of the Civil Code, relating to the assignment of accounts receivable and giving notice thereof.

Assembly Bill No. 2673—An act to add Section 2141.5 and Section 2436 to the Business and Professions Code, relating to the practice of the healing arts;

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers' licenses;

Assembly Bill No. 2512—An act to add Section 2611 to the Code of Civil Procedure, relating to phonographic reporters;

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1803—An act to add Section 19215 to the Streets and Highways Code, relating to highway lighting districts;

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller;

Assembly Bill No. 2042—An act to amend Sections 2, 13¾ and 15 of the Los Angeles County Flood Control Act, relating to district works and improvements including storm drain improvements and drainage systems;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 879—An act to amend Sections 31552, 31553, 31602 and 31652 of, and to add Section 31648.1 to, the Government Code, relating to retirement of county employees;

Assembly Bill No. 1234—An act to amend Sections 8525, 8568, 8624, 8635, 8641, 8642, 8644, and 8651 of, and to add Sections 8653 and 8654 to, the Business and Professions Code, relating to structural pest control;

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, relating to apprenticeship;

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925 and to provide for the number and compensation of officers and attaches of the municipal court in a judicial district embracing the City of San Diego, relating to municipal courts;

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2631, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 516—An act to amend Section 5050.5 of the Insurance Code, relating to insurance;

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2018—An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics' liens;

Assembly Bill No. 2249—An act to amend Section 6358 of the Education Code, relating to school district taxes, and to validate elections relating thereto, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2844—An act to add Section 15002.5 to the Government Code, and to amend Section 11103 of the Health and Safety Code, relating to the organization of the Department of Justice and its constituent agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2894—An act to amend Section 928 of the Health and Safety Code, relating to local health districts;

Assembly Bill No. 3213—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 216

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3457

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3207

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1797

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1797, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1797

Assembly Bill No. 1797—An act to amend Section 8100 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 6

Mr. Chapel asked for, and was granted unanimous consent to take up Assembly Bill No. 6, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 6

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Motion carried. Time, 2.39 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Burke, Coats, Sam L. Collins, Cooke, Dills, Grant, Hagen, Henderson, Klocksiem, Lanterman, Lincoln, McCarthy, McFall, Munnell, Parker, Rosenthal, and Shaw—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 1204

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204, and whereby the bill, by order of the Speaker, was today re-referred to the Committee on Revenue and Taxation.

Mr. Connolly seconded the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled that, pursuant to the provisions of Rule No. 27, the motion by Mr. Sherwin is not in order.

Motion to Refer Back to Section 10 of Rule No. 27

Mr. Sherwin moved to refer back to Section 10 of Rule No. 27.

Mr. Connolly seconded the motion.

Motion carried.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1204 Renewed

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204 and whereby the bill, by order of the Speaker, was today re-referred to the Committee on Revenue and Taxation.

Mr. Connolly seconded the motion.

Point of Order

Mr. Lyon arose to the following point of order: That the Journal for Friday, June 15th, has been approved, and the motion by Mr. Sherwin is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion to Expunge Record and Rescind Action on Approval of Journal for Friday, June 15th

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on this day, approved the Journal for Friday, June 15th, as corrected by the Minute Clerk

Mr. Connolly seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, McFall, McGee, Meyers, Moss, Munnell, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—48.

NOES—Crowley, Dickey, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Luckel, Lyon, Maloney, McMillan, Parker, Porter, and Thomas—14.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1204 Renewed

Mr. Sherwin renewed his motion to expunge the record, and rescind the action whereby the Assembly on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204 and whereby the bill by order of the Speaker was today re-referred to the Committee on Revenue and Taxation.

Mr. Connolly seconded the motion.

Point of Order

Mr. Thomas arose to the following point of order: That Mr. Sherwin's motion is not in order because the amendments are now part of the bill.

Ruling by Speaker

Speaker pro Tempore Maloney rule the point of order well taken.

Motion to Expunge Record and Rescind Action on Re-reference of Assembly Bill No. 1204

Mr. Sherwin moved to expunge the record, and rescind the action where the Speaker today re-referred Assembly Bill No. 1204 to the Committee on Revenue and Taxation.

Mr. Lowrey seconded the motion.

Substitute Motion

Mr. Geddes moved, as a substitute motion, that the Committee on Revenue and Taxation be excused, at this time, for the purpose of holding a special meeting in the Cloak Room to consider Assembly Bill No. 1204.

Substitute motion died for lack of a second.

The question being on the motion by Mr. Sherwin.

Demand for Previous Question

Messrs. Luckel, Shaw, Hansen, Klocksiem, and Lanterman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Sherwin to expunge the record and rescind the action whereby the Speaker re-referred Assembly Bill No. 1204 to the Committee on Revenue and Taxation, today.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McGee, Meyers, Moss, Munnell, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, and Waters—49.

NOES—Dickey, Dills, Evans, Henderson, Hollibaugh, Luckel, Maloney, McColister, McMillan, Niehouse, and Thomas—11.

Record declared expunged and the action rescinded whereby Assembly Bill No. 1204 was re-referred to the Committee on Revenue and Taxation.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1204

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204.

Mr. Connolly seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldcott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—Evans—1.

Assembly Bill No. 1204 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1227 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Erwin asked for, and was granted, unanimous consent that Senate Bill No. 1227 be withdrawn from the Committee on Fish and Game, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO READ ASSEMBLY BILL NO. 3112 THE SECOND TIME AND PLACE A RUSH ORDER ON PRINTING OF BILL

Mr. Burkhalter asked for unanimous consent that Assembly Bill No. 3112 be read the second time, by unanimous consent, be amended, and that a rush order be placed upon its printing.

Mr. Hollibaugh withheld unanimous consent because the report of the Committee on Municipal and County Government has not yet been read.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Request for Unanimous Consent to Take Up Assembly Bill No. 3112

Mr. Burkhalter asked for, and was granted unanimous consent to take up Assembly Bill No. 3112, without reference to file, for purpose of amendment.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 14, 1951, strike out line 6, and insert "the benefit of the people A necessity exists within a portion of Los Angeles County for such a system Because of the numerous separate municipal corporations and unincorporated populated areas in that portion of Los Angeles County within the area of the entire San Fernando Valley west of the west boundary of the City of Glendale, and within four (4) miles on each side of the main channel of the Los Angeles River from San Fernando Valley to the mouth of the river at Long Beach, only a specially created authority can operate freely in said portion of that county. Because of the unique problem presented by that portion of the county and the facts and circumstances relative to the establishment of an interurban rapid transit system therein, the adoption of a special act and the creation of a special authority is required."

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 16, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 42 to 45, inclusive, and insert "lated areas, within the area of the entire San Fernando Valley west of the west boundary of the City of Glendale, and within four (4) miles on each side of the main channel of the Los Angeles River from San Fernando Valley to the mouth of the river at Long Beach, by means of suspended overhead monorail on routes which the California Public Utilities Commission has first determined are required by public convenience and necessity, together with any supplemental feeder bus lines which established common carriers of passengers serving the area decline to provide after that Commission has determined they are required by public convenience and necessity."

Amendment No. 4

On page 2, line 48, of said bill, strike out the comma, and insert a period.

Amendment No. 5

On page 2 of said bill, strike out lines 49 to 51, inclusive; and on page 3, strike out lines 1 to 4, inclusive.

Amendment No. 6

On page 3 of said bill, between lines 32 and 33, insert

"SEC. 2 14. The "Public Utilities Act" as used in this act means the Public Utilities Code upon its taking effect. The authority shall be deemed a public utility within the provisions of the Public Utilities Act."

Amendment No. 7

On page 3, line 39, of said bill, after the period, insert "The authority in all respects shall be subject to the same regulations, restrictions and restraints as if it were a privately owned and operated carrier and shall be subject to the jurisdiction of the Public Utilities Commission and all other laws applicable to privately owned and operated carriers."

Amendment No. 8

On page 4, line 31, of said bill, strike out "ordinances,".

Amendment No. 9

On page 6, line 15, of said bill, after the period, insert "Wherever under then existing statute, ordinance or law a franchise, permit, license or authorization is required for a public utility, then this authority shall acquire a similar franchise, permit, license or authorization in the same manner and pursuant to the same procedure, terms and conditions as are required of a public utility."

Amendment No. 10

On page 7, line 47, of said bill, after "with", insert "or franchises from".

Amendment No. 11

On page 7, line 48, of said bill, after "county", insert ", district,"

Amendment No. 12

On page 8, line 13, of said bill, strike out "The", and insert "Subject to the jurisdiction of the Public Utilities Commission, the".

Amendment No. 13

On page 8, line 16, of said bill, strike out "at its pleasure, subject to", and insert "in accordance with".

Amendment No. 14

On page 8, line 20, of said bill, strike out "The", and insert "Subject to the jurisdiction of the Public Utilities Commission, the".

Amendment No. 15

On page 8, line 23, of said bill, strike out the period, and insert "; and".

Amendment No. 16

On page 8, line 32, of said bill, strike out "The", and insert "Subject to the provisions of the Public Utilities Act and authorization pursuant thereto from the Public Utilities Commission, the".

Amendment No. 17

On page 8, line 36, of said bill, strike out "The", and insert "Subject to the provisions of the Public Utilities Act and authorization pursuant thereto from the Public Utilities Commission, the".

Amendment No. 18

On page 9, line 4, of said bill, strike out "The authority", and insert "Subject to the provisions of the Public Utilities Act and authorization pursuant thereto from the Public Utilities Commission, the authority".

Amendment No. 19

On page 9 of said bill, strike out lines 6 to 8, inclusive, and insert "system or any part thereof by, any operator."

Amendment No. 20

On page 9 of said bill, strike out lines 28 to 32, inclusive, and insert "ing transit facilities.

SEC. 4.21. The authority shall pay to each public corporation in which property of the authority is situated an amount equal to the amount which would be paid in taxes and assessments on such property if it were privately owned. The amount of such payments shall be computed in the same manner as taxes or assessments on such property would be computed if it were privately owned, except that for this purpose the property of the authority shall be valued at appropriate times by the State Board of Equalization, and its determination thereof shall be final. This section shall not be applicable to bonds issued by the authority."

Amendment No. 21

On page 15, line 44, of said bill, insert

"SEC. 5.43. Nothing in this chapter shall affect or limit the jurisdiction and authority of the Public Utilities Commission as provided elsewhere in this act."

Amendment No. 22

On page 16 of said bill, strike out lines 51 and 52; and on page 17, strike out lines 1 and 2, and insert "created in favor of the bondholders. The man-".

Amendment No. 23

On page 17, line 7, of said bill, strike out the period, and insert ", except that the authority and the property thereof is subject to the Public Utilities Commission to the same extent as a private utility and its property is."

Amendment No. 24

On page 17, line 35, of said bill, strike out "The authority", and insert "Pursuant to Sections 4.9 and 4.10, the authority".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 3112

Mr. Burkhalter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3112.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3456—An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Geddes, Lanterman, Burke, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3456.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2250—An act to amend Section 467 of the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2835

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No. 2835, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2835

Assembly Bill No. 2835—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2836

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No. 2836, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2836

Assembly Bill No. 2836—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2904

Mr. Gaffney asked for, and was granted unanimous consent to take up Assembly Bill No. 2904, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2904

Assembly Bill No. 2904—An act to add Section 14633 to the Education Code, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Hinckley, Burke, Geddes, and Luckel demanded the previous question.

Roll Call Demanded

Messrs. Lanterman, Tomlinson, and Burke demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Clarke, Collier, Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grunsky, Hinckley, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, McCollister, McGee, Moss, Niehouse, Porter, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—31

NOES—Beck, Berry, Brown, Coats, George D. Collins, Condon, Conrad, Cooke, Dunn, Elliott, Gaffney, Hagen, Henderson, and Sherwin—14.

The question being on the passage of Assembly Bill No. 2904.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

Motion carried. Time, 3.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Caldecott, Chapel, Cloyed, Sam L. Collins, Dickey, Evans, Grant, Hagen, Hahn, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lipscomb, McCarthy, McCollister, McFall, Parker, Rosenthal, Silliman, and Stanley—23

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article XI, relating to compensation for public service.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Hagen, Hawkins, Henderson, Luckel, Moss, Parker, Stanley, and Thomas—20.

NOES—Babbage, Beck, Burke, Clarke, Cloyed, Conrad, Dickey, Dills, Dolwig, Dunn, Evans, Geddes, Grant, Grunsky, Gubser, Hansen, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McFall, McGee, Munnell, Niehouse, Porter, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—38.

ANNOUNCEMENT

Mr. Sherwin announced that due to the condition of the file, no regular meeting of the Committee on Ways and Means will be held today.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.05 p.m., Mr. Sherwin asked for unanimous consent to hold a special meeting of the Committee on Ways and Means in the cloak room, at this time. Subject: Assembly Bill No. 3458.

Mr. Evans withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.06 p.m., Mr. Luckel asked for unanimous consent to hold a special meeting of the Committee on Transportation and Commerce in the cloak room, at this time.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Lindsay moved that the Rules be temporarily suspended for the purpose of permitting the Committee on Transportation and Commerce to hold a special meeting, at this time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the motion by Mr. Lindsay not in order because the Assembly is under a call of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 471—An act to add Section 21251.4 to the Government Code, relating to the California State Employees' Retirement System.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1257—An act to amend Section 20750.1 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state miscellaneous members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge by the State and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1260

Mr. Fleury asked for, and was granted unanimous consent to take up Assembly Bill No. 1260, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1260

Assembly Bill No. 1260—An act to amend Section 20750.4 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to warden members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1261

Mr. Fleury asked for, and was granted, unanimous consent to take up Assembly Bill No. 1261, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1261

Assembly Bill No. 1261—An act to amend Section 20750.3 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to forestry members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1262

Mr. Fleury asked for, and was granted, unanimous consent to take up Assembly Bill No. 1262, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1262

Assembly Bill No. 1262—An act to amend Section 20750.2 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state patrol members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2696—An act making an appropriation to the State Department of Education for major construction, improvement, and repair, California School for the Deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 97—Relative to directing the Public Utilities Commission to apportion the costs of a certain grade separation on Olive Avenue in the City of Burbank, County of Los Angeles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, and Thomas—52.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 98—Relative to determination of water rights.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2595—An act to amend Section 13002 of the Government Code, relating to the salary of the Director of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln,

Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Thomas, and Waters—55.

NOES—Shaw—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2596—An act to amend Section 14002 of the Government Code, relating to the salary of the Director of Public Works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Thomas, and Waters—53.

NOES—Davis and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stewart, Thomas, and Waters—56

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2501

At 4.35 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2501 refused passage by the following vote:

AYES—Babbage, Belotti, Clarke, Cloyed, Collier, Connolly, Dolwig, Erwin, Evans, Fleury, Geddes, Grunsky, Hansen, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McGee, Sherwin, Smith, Stanley, Stewart, and Tomlinson—27.

NOES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Gaffney, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, and Waters—47.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2501

Mr. Geddes moved to expunge the record, and rescind the action whereby the Assembly on this day refused passage to Assembly Bill No. 2501.

Point of Order

Mr. Condon arose to the following point of order: That the motion by Mr. Geddes is not in order because motions are not at present before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1535 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Caldecott asked for, and was granted, unanimous consent that Senate Bill No. 1535 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Civil Service and State Personnel.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 797—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1623—An act to amend Sections 20864, 20921, 20922, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258.1, 21258.2, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 471

Mr. Fleury asked for, and was granted unanimous consent to take up further consideration of Assembly Bill No. 471, passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 471

Assembly Bill No. 471—An act to add Section 21251.4 to the Government Code, relating to the California State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stewart, Thomas, and Waters—63.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1628—An act to amend Sections 20750.1, 20750.2, 20750.3, and 20750.4 of the Government Code, relating to state contributions to the State Employees' Retirement Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stewart, Thomas, and Waters—62.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2640

Mr. Sherwin asked for, and was granted unanimous consent to take up Assembly Bill No. 2640, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2640

Assembly Bill No. 2640—An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1802—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Sherwin, Stewart, and Thomas—57.

NOES—Cloyed, Elliott, Hagen, Hansen, Lindsay, Lowrey, and Silliman—7.

Bill ordered transmitted to the Senate.

Hon. Arthur H. Connolly, Jr., Presiding

At 4.55 p.m., Hon Arthur H. Connolly, Jr , Member of the Assembly from the Twenty-first District, presiding.

BILLS WITHDRAWN FROM ACTIVE FILE

Assembly Bill No. 3445, on motion of Mr. Meyers.

ANNOUNCEMENT

At 4.57 p.m., Mr. Evans announced that he desired to withdraw his objections, at this time, to the unanimous consent request of Mr. Sherwin to hold a special meeting of the Committee on Ways and Means.

Speaker Pro Tempore Presiding

At 5.01 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MOTION THAT SENATE BILLS SET FOR HEARING IN COMMITTEE ON JUDICIARY BE CONTINUED

Mr. Brown moved that all Senate bills set for hearing in the Committee on Judiciary for tonight be continued until tomorrow night, Tuesday, June 19th, and be heard at that time.

Mr. Caldecott seconded the motion.

Motion carried.

MOTION THAT SENATE BILLS SET FOR HEARING IN COMMITTEE ON FINANCE AND INSURANCE BE CONTINUED

Mr. Geddes moved that all Senate bills set for hearing in the Committee on Finance and Insurance for tonight be continued until tomorrow night, Tuesday, June 19th, and be heard at that time.

Mr. Caldecott seconded the motion.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Caldecott asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Civil Service and State Personnel at his desk at 9 30 a m., tomorrow, Tuesday, June 19th.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3460 BE HEARD UPON RECESS

Mr. Beck asked for, and was granted, unanimous consent that a meeting be held at the desk of Mr. Brown, upon recess, for the purpose of considering Assembly Bill No. 3460.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 6

At 5.04 p.m., on motion of Mr. Chapel, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 6 passed by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—54.

NOES—Berry, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Evans, Hawkins, Kilpatrick, Levering, Lowrey, Luckel, McMillan, and Tomlinson—15.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2330

Mr. Conrad asked for, and was granted, unanimous consent to take up Assembly Bill No. 2330, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2330

Assembly Bill No. 2330—An act to amend Sections 19601, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7, 19601.8, and 19607.1 to, and to repeal Sections 19601.5, 19613.5, and 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, and Waters—64

NOES—Hagen and Tomlinson—2.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, and Waters—64

NOES—Hagen and Tomlinson—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1093—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 214

Relative to the creation of the Assembly Interim Committee on Highways, Streets, and Bridges

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of $200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions; and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local government; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditions is estimated in excess of three billion dollars, but only fourteen billion dollars will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights-of-way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limiting access construction under certain conditions, should be reviewed by the Legislature; and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature in its 1951 Regular Session considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but it appeared that further study should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-user tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, created by Senate Resolution 129 in the 1949 Regular Session of the Legislature during the course of its inquiries found that several counties were apparently failing to comply with the spirit, if not the letter of the Highway Act of 1947 with respect to county road administration, and, it, therefore, appears that the Legislature should have additional information on this subject in view of the fact that almost fifty million dollars is apportioned annually by the State to counties for road purposes, and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway-users and such expenditures directly reduce the amount of funds available for highways and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Highways, Streets, and Bridges is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of Highway-User Taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3 The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of State highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol,

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights-of-way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collections of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to

guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the State; (4) to accumulate and coordinate data which will provide a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time, (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the overall development of an efficient transportation system for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency

4. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The Speaker shall appoint the chairman and vice chairman of the committee.

5. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

6. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

7. The committee has the following additional powers and duties.

(a) To employ an executive secretary, engineers, auditors, and other personnel, as it deems necessary to carry out the purposes for which it is created.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders, and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

8. The committee and its employees may meet and act any place within the State or within the United States

9. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 215

Relative to action of committees on bills

Resolved by the Assembly of the State of California, That all bills set for hearing by any Assembly committee, except the Assembly Committee on Rules, must be published in the Daily File not less than one day in advance of such hearing.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 216

Relative to action of committees on bills

Resolved by the Assembly of the State of California, That on and after the day upon which this resolution is adopted the provisions of House Resolution No. 79 shall have no force or effect.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Sherwin, Dunn, Lincoln, Rumford, Caldecott, and Dickey:

House Resolution No. 217

Relative to the passing of Judge J. A. Kennedy

WHEREAS, This House was saddened to hear of the death of Judge J. A. Kennedy, of Oakland; and

WHEREAS, Judge Kennedy, born in San Francisco 74 years ago, was graduated from St Mary's College, and admitted to the bar in 1905 to begin 30 years of outstanding practice of the law; appointed to the bench in 1936 as police judge, he was elected in April of this year to the municipal court, and

WHEREAS, Judge Kennedy was well known for his "pep talks" to his collegiate alma mater's football teams before their games with the University of California; he was a first member on the Oakland Planning Commission, a past Grand Knight of the Knights of Columbus, and had membership in the Elks, Moose, and Eagles, among others; and

WHEREAS, The steadfastness of his character, and abundancy of his contributions to the proper manner of juristic service, well noted and long admired by the bar and public, make his passing a serious loss; now, therefore, be it

Resolved by the Assembly of the State of California, That condolences be extended to the family of Judge Kennedy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mr J A Kennedy, Jr, 531 Valle Vista Street, Oakland, California.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Levering:

House Resolution No. 218

Relative to the powers and duties of the Assembly Interim Committee on the Judicial System and Judicial Process

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (as created by House Resolution No 168 of the 1951 Regular Session) the said committee is hereby authorized and directed to ascertain, study, and analyze all facts relating to, bearing upon or affecting the subject of unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles, with special attention to the subject matter of Assembly Bill No 3437 of the 1951 Regular Session of the Legislature and particularly with respect to the protection of the property rights of the innocent legal owners of confiscated automobiles, including but not limited to the operation, effect, administration, enforcement, and needed revision of any any and all laws in any way bearing upon or related thereto, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Brown:

House Resolution No. 219

Relative to Directing the Assembly Interim Committee on Governmental Efficiency and Economy to study matters pertaining to aviation

WHEREAS, Aviation is daily becoming a more important factor in our economy; and

WHEREAS, The State of California should do everything reasonably possible to encourage and facilitate the growth of aviation; and

WHEREAS, Before anything can be done in this regard a study of the situation must first be made; now, therefore, be it

Resolved by the Assembly of the State of California, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee created at this session with similar powers and duties, is hereby requested to study and investigate the following matters:

(a) The subject of unclaimed refunds as between counties and cities of taxes paid on motor vehicle fuel used for the propulsion of aircraft;

(b) The operational functions of the California Aeronautics Commission;

(c) The problems of private aviation;

Resolved, That the committee submit a report and its recommendations thereon to the Assembly at the 1953 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Condon:

House Resolution No. 220

Relative to directing the Assembly Interim Committee on Fish and Game to undertake an investigation

WHEREAS, The 1951 Regular Session of the California Legislature enacted Senate Bill 868 which provides for closure of certain sections of the Sacramento River to commercial fishermen; and

WHEREAS, During the consideration of Senate Bill 868 the evidence relating to the question of conservation was in sharp conflict; and

WHEREAS, The welfare of hundreds of people is dependent on the preservation of the salmon resource; and

WHEREAS, It appears that a study of the conservation aspects of the Sacramento River closure is within the scope of the Assembly Interim Committee on Fish and Game; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fish and Game be and it is hereby authorized and directed to ascertain through hearings and investigations all facts relating to the effects of Senate Bill 868 on the conservation of the salmon resources of the Sacramento River, and be it further

Resolved, That the committee is directed to obtain testimony from biologists and scientists familiar with the problems of salmon fishery; to commence this investigation no later than 90 days after adjournment of the 1951 Regular Session of the Legislature; and to report its findings and recommendations not later than March 15, 1952.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 46: By Mr. Chapel—Relative to recognition of small business in the Nation's defense economy.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2474

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Bill No. 2474, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2474

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, and Waters—56.

NOES—Clarke, Fleury, Grunsky, Hansen, Henderson, Hinckley, Kirkwood, Lowrey, Luckel, Moss, and Sherwin—11.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Chapel asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 2474, and that he be recorded as voting "Aye".

Speaker Presiding

At 5 20 p m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 976

Mr Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 976, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 976

Assembly Bill No. 976—An act to amend Sections 51, 53, 60, 70.5, 77.5, 80, 112, and 145 of the Labor Code, relating to the general powers and duties of the Department and Director of Industrial Relations and salaries within the Department of Industrial Relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Potter, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1193

Mr. Caldecott asked for, and was granted unanimous consent to take up Assembly Bill No. 1193, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1193

Assembly Bill No. 1193—An act to amend Section 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3385

Mr. Moss asked for, and was granted unanimous consent to take up Assembly Bill No 3385, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 3385

Assembly Bill No. 3385—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Moss moved a call of the Assembly.

Motion carried. Time, 5.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, George D. Collins, Dunn, Evans, Grant, Grunsky, Gubser, Kelly, Lyon, McCarthy, Rosenthal, Shaw, Sherwin, Stanley, and Stewart—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3442

Mr. Lowrey asked for, and was granted unanimous consent to take up Assembly Bill No. 3442, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3442

Assembly Bill No. 3442—An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Beck, Moss, Lincoln, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3442.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 5.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Chapel, Coats, Dills, Dunn, Evans, Hawkins, Kelly, Kirkwood, and Stanley—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, June 18, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR MR. COLLINS: The family is deeply appreciative of the expression of sympathy extended by the Assembly in the recent loss of our dear Mother.

The tribute and honor bestowed upon her at the memorial service on Friday, June 15th, was deeply felt and beyond any expectation.

Mother's desire that all would know the Lord as she knew Him was predominant in her life.

We gratefully acknowledge your kindness

THE HAHN FAMILY
By GORDON R. HAHN

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

ECONOMIC STABILIZATION AGENCY
WASHINGTON 25, D. C., June 11, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly Chamber, State Capitol
Sacramento 14, California

DEAR MR. OHNIMUS: Thank you for sending me a copy of House Resolution No. 148, adopted by the California Assembly on May 25, 1951.

Regional boundaries and regional headquarters were established by the Budget Bureau to provide a standard regional pattern for field organizations of the new production, manpower and stabilization agencies. This agency is governed by the Budget Bureau's directive on the subject.

The Regional Headquarters for the California, Nevada, Arizona Region was established in San Francisco. The Office of Price Stabilization, which is the only part of the Economic Stabilization Agency to organize a field staff to date, has established several district offices. These district offices, including one in Los Angeles, implement the regional office services to the various business communities.

As evidenced by the above, the matter of determination of regional boundaries and regional headquarters is beyond my jurisdiction.

Sincerely yours,

ERIC JOHNSTON, Administrator

By Speaker Sam L. Collins:

A communication from Governor Earl Warren which reported to the Legislature, on advice of the Attorney General, that under Section 16054 of the Government Code judgments against the State of California on claims, appear to be pending, was received, and ordered referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Committee on Legislative Representation be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3460

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 853

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 853, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 853

Assembly Bill No. 853—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2544

Mr. McCarthy asked for, and was granted unanimous consent to take up Assembly Bill No. 2544, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2544

Assembly Bill No. 2544—An act making an appropriation to the Regents of the University of California for the augmentation and expansion of the teaching program of the colleges of engineering in the field of construction engineering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—60.

NOES—Babbage, Cloyed, Hansen, Kirkwood, Levering, Luckel, and Silliman—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1308 BE RE-REFERRED TO COMMITTEE

Mr. McCarthy asked for, and was granted, unanimous consent that Assembly Bill No. 1308 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2372

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Bill No. 2372, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2372

Assembly Bill No. 2372—An act to add Article 1.5 to Chapter 2, Division 10 of the Education Code, relating to the Public School System and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly Kilpatrick, Kirkwood, Kloekstiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Morris and Maloney:

House Resolution No. 221

Relative to the marriage of Chief E Raymond Cato of the California Highway Patrol

WHEREAS, The good news has been received by this House of the marriage of E Raymond Cato to Miss Louise Marie Kuzmich, on Saturday, June 16th, at the Cathedral of the Blessed Sacrament in Sacramento; and

WHEREAS, The new Mrs Cato is the daughter of Mr. and Mrs. Mike Kuzmich of Sacramento, a graduate of St Joseph's Academy and is in state service; and

WHEREAS, E. Raymond Cato is one of the best known law enforcement officers in the Nation, having gathered a tremendously laudable record in his many years of devoted, energetic and efficient service; as Chief of the California Highway Patrol, he is responsible for field operations, and has gathered to the patrol the highest esteem of the public and the men with whom he serves; and

WHEREAS, It is always encouraging to see the marriage of a couple actively engaged in performance of duties as state workers; now, therefore, be it

Resolved by the Assembly of the State of California, That the ardent best wishes of each Member of this House be extended to the comely Mrs. Cato, and that such personal congratulations be declared to E. Raymond Cato; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Mr. and Mrs. E. Raymond Cato.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3247

Mr. Rosenthal asked for, and was granted unanimous consent to take up Assembly Bill No. 3247, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3247

Assembly Bill No. 3247—An act to amend Sections 51, 70.5, 77.5, 80, and 145 of the Labor Code, relating to salaries in the Department of Industrial Relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Thomas, Waters, and Mr. Speaker—59

NOES—Elliott and Luckel—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3248

Mr. Rosenthal asked for, and was granted unanimous consent to take up Assembly Bill No. 3248, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3248

Assembly Bill No. 3248—An act to amend Section 112 of the Labor Code, relating to the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Thomas, and Waters—59.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 3385

At 6:01 p.m., on motion of Mr. Moss, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 3385 adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Tomlinson—58

NOES—Cloyed, Condon, Conrad, Dickey, Elliott, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Levering, McMillan, Porter, Silliman, Thomas, and Waters—16.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Tomlinson—58

NOES—Cloyed, Condon, Conrad, Dickey, Elliott, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Levering, McMillan, Porter, Silliman, Thomas, and Waters—16.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

Mr. Beck asked for unanimous consent to take up a resolution to suspend the provision of Article IV, Section 15, of the Constitution which requires the reading of a bill on three several days for the purpose of considering Assembly Bill No. 3460, at this time.

Mr. Dickey withheld unanimous consent because legislative courtesy was withheld from Mr. Smith, this afternoon.

MOTION TO EXTEND LEGISLATIVE COURTESY TO BOTH MESSRS. BECK AND SMITH

Mr. Hollibaugh moved that legislative courtesy, pursuant to requests made by Messrs. Beck and Smith, be extended to both Messrs. Beck and Smith.

Mr. Dickey seconded the motion.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3442

At 6.10 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3442 passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dills, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—51.

NOES—Beck, Brady, Brown, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Geddes, Hagen, Lyon, McCollister, McGee, Morris, Niehouse, Shaw, Thomas, and Tomlinson—23.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2904

At 6.14 p.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2904 refused passage by the following vote:

AYES—Beck, Berry, Brown, Caldecott, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Gubser, Hagen, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—32.

NOES—Belotti, Burke, Burkhalter, Clarke, Collier, Connolly, Conrad, Cooke, Dolwig, Dunn, Erwin, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McGee, McMillan, Morris, Niehouse, Sherwin, Smith, Stewart, Tomlinson, and Waters—34.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3458 BE REPORTED OUT OF COMMITTEE

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 3458 be reported out of the Committee on Ways and Means and be placed upon the second reading file.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 3460

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Beck:

Resolved, That Assembly Bill No. 3460 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 3460

Assembly Bill No. 3460—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Assembly Bill No. 3460—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time, and ordered temporarily passed on file.

RECESS

At 6.19 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Pro Tempore Presiding

At 8.01 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 282, entitled: "An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning"

My objections to this bill are as follows:

This bill would amend those sections of the Business and Professions Code relating to dry cleaning. It would provide that the word "code" means the Business and Professions Code, and provides that for the purpose of the chapter and any rules and regulations of the board the present tense includes the past and future, the future tense includes the present, the masculine gender includes the feminine and the feminine the masculine, and that the singular includes the plural and the plural the singular.

It is obvious that when found in the Business and Professions Code, the word "code" of necessity refers to that code. The other provisions are found in slightly different form in Section 14 with one slight exception.

It is also obvious that the adoption of this bill will not accomplish any change in the law and that it is not desirable to re-introduce in each chapter of this code a statement that is found in the preliminary sections of the code applicable to all chapters.

I am therefore returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 282

June 18, 1951

I acknowledge receipt this eighteenth day of June, 1951, at 4.50 o'clock p m, of Assembly Bill No. 282 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 282 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 18, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 997, entitled: "An act to provide for the number and succession of judges in municipal court judicial districts in Los Angeles County."

My objections to this bill are as follows:

This is the bill providing for the number of judges of the Municipal Courts in the County of Los Angeles under the constitutional provision submitted to the people by the Legislature.

This court reorganization plan was represented to the people as one to effect efficiency and economy in our inferior courts. In order to keep faith with that promise the Judicial Council has surveyed the judicial workload in all affected parts of the State for the purpose of determining the number of judges in the new municipal court districts established by the boards of supervisors pursuant to the reorganization program. The boards of supervisors are responsible to the people for the tax rate of their counties, and working with the Judicial Council, have determined the number of judges needed in the several judicial districts in their counties.

Some years ago the people established the home rule principle for county government in Section 7½ of Article XI of the Constitution. I believe that it is in keeping with that principle to rely largely on the boards of supervisors in such matters as court reorganization, particularly when the boards agree substantially with the Judicial Council of the State, based on the recommendation resulting from the studies of the judiciary in the various districts.

With reference to this bill the Chief Justice of the State, as Chairman of the Judicial Council, advises me as follows: "In my opinion, provision for the number of judges for each of these courts should have been made by a separate bill, as the determination in respect to each should stand on its own merits. In a few instances where the bill provides for a greater number than the supervisors or the council recommended, there is some basis for a difference of opinion as to the number of judges needed. However, there can be no justification for providing as many judges for some of these courts as the bill does. I therefore recommend that AB 997 be vetoed."

The Board of Supervisors of Los Angeles County, through the county counsel, advises me as follows: "This letter is written pursuant to the specific instructions of the Board of Supervisors of the County of Los Angeles, adopted May 15th, at which time the county counsel was instructed to advise you by letter of the unanimous position of the board of supervisors of this county in opposing an increase in the number of judges of the municipal court, brought about by the plan to reorganize the inferior courts over and above the 74 judges recommended by the board of supervisors to the Legislature. Assembly Bill 997 provides for an excess of ten such judges."

And on June 1st reaffirms its position in the following language: "The purpose of this communication is to reaffirm the unanimous opposition of the Board of Supervisors of the County of Los Angeles to Assembly Bill 997, which provides, according to the recommendations of Chief Justice Gibson and the Judicial Council, for at least ten unneeded municipal court judges for this county."

The City Council of the City of Los Angeles advises me as follows: "Whereas the State Assembly has passed a bill authorizing additional 10 inferior court judges, increasing the number of such offices from 74 to 84, and whereas the board of supervisors, Supreme Court Chief Justice Phil S. Gibson, the Judicial Council and others in authority in the State feel that these 10 additional judges are not essential and whereas in view of the fact that this increase in personnel will add more than $600,000 annually to the county tax bill, and whereas a proper portion of this additional tax burden will be borne by tax payers in the City of Los Angeles; therefore be it resolved that the City Council of the City of Los Angeles joins with the Los Angeles County Board of Supervisors in protesting to the California State Senate the passage of the bill approved by the Assembly."

I have stated that I would veto any bill, regardless of the county involved, that proposed a number of judges in excess of the recommendations of both the Judicial Council and the board of supervisors. I have no personal knowledge of the number of municipal court judges required in Los Angeles or in any other county in this State. In the absence of such personal knowledge, and in furtherance of the principle of home rule, I believe that it is my duty to give great weight to the recommendations of the Board of Supervisors and the Judicial Council. Where there is a difference of opinion between these two I will, of course, be required to exercise my independent judgment based on the facts presented.

I was prepared to veto this bill on its arrival in my office. However, at the request of several Members of the Legislature from Los Angeles County, I held off returning the bill to give them an opportunity to again contact the Los Angeles County Board

of Supervisors and the Judicial Council. Because this is the last week of the session I can no longer withhold returning this bill, and accordingly am returning it herewith.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 997

June 18, 1951

I acknowledge receipt this eighteenth day of June, 1951, at 4 55 o'clock p m., of Assembly Bill No. 997 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 997 ordered to unfinished business file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 257
Senate Bill No. 861
Senate Bill No. 1219
Senate Bill No 1345
Senate Bill No. 1480
Senate Bill No. 1759
Senate Bill No. 1834

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 257—An act to amend Sections 4905 and 4941 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 861—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional voluntary contributions.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1345—An act providing for the constitution of municipal courts in districts in San Mateo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1480—An act to amend the Government Code and Section 737w of the Political Code, relating to salaries of superior judges.

Referred to Committee on Judiciary.

Senate Bill No. 1759—An act to amend Section 110 of, and to add Sections 988 and 989 to the Revenue and Taxation Code, relating to the valuation of property for purposes of property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1834—An act to add Sections 21 and 1633 to the Welfare and Institutions Code, relating to notice to probation officers in respect to juveniles.

Referred to Committee on Judiciary.

Hon. Frank P. Belotti Presiding

At 8.12 p.m., Hon. Frank P. Belotti, Member of the Assembly from the First District, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Lowrey suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 8.18 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Burkhalter, Caldecott, Chapel, George D. Collins, Sam L. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Dunn, Gaffney, Geddes, Gubser, Hinckley, Kelly, Lanterman, Lincoln, McCarthy, McCollister, McFall, McMillan, Meyers, Niehouse, Rumford, Sherwin, Stanley, Stewart, Tomlinson, and Waters—33.

Quorum present.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Beck asked for, and was granted, unanimous consent to take up Assembly Bill No. 3460, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3460

Assembly Bill No. 3460—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 3458

Has had the same under consideration, and respectfully reports the same back without recommendation.

LOWREY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3458—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Bill read second time, and ordered engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1422, on request of Mr. Chapel.

Request for Unanimous Consent That Assembly Bill No. 1422 Be Taken Up at This Time

Mr. Chapel asked for unanimous consent that he be permitted to take up Assembly Bill No. 1422, at this time.

Messrs. Geddes and Hinckley withheld unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1724

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1724—An act to amend Section 12001 of the Government Code, relating to the Governor's Office.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3112

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 3458

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No 1724

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby Senate Bill No. 806 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Mr. Connolly asked for, and was granted, unanimous consent to take up further consideration of Assembly Bill No. 1204, at this time, without reference to file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1204

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Munnell moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 21, 1951, after the comma, insert "and to amend Section 24 of the Alcoholic Beverage Control Act,".

Amendment No. 2

In line 9 of the title of said bill, after the comma, insert "increasing the excise tax on distilled spirits to provide revenue therefor,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 4 of said bill, after line 36, insert

"SEC. 4. Section 24 of the Alcoholic Beverage Control Act is amended to read:

Sec. 24. An excise tax is hereby imposed upon all distilled spirits sold in this State by manufacturers, distilled spirits manufacturer's agents, brandy manufacturers, rectifiers, wholesalers, sellers of distilled spirits selling distilled spirits with

respect to which no tax has been paid within areas over which the Federal Government exercises jurisdiction, at the following rates:

On all distilled spirits of proof strength or less, [eighty cents ($0.80)] *eighty-five cents ($0.85)* per wine gallon, and at a proportionate rate for any quantity.

All distilled spirits in excess of proof strength shall be taxed at double the above rate."

Amendments read.

Demand for Previous Question

Messrs. Lincoln, Babbage, Hinckley, Silliman, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Munnell to Assembly Bill No. 1204.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Tomlinson, and Waters—49.

NOES—Berry, Cloyed, Connolly, Crowley, Dickey, Dills, Elliott, Evans, Gaffney, Hawkins, Hollibaugh, Luckel, Lyon, Maloney, McCollister, McMillan, Niehouse, and Thomas—18

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 1204

Mr. Grunsky moved that a rush order be placed upon the printing of Assembly Bill No. 1204.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 3458, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 3458

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Brown:

Resolved, That Assembly Bill No. 3458 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 3458—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Bill read third time.

Assembly Bill No. 3458 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 380

Mr. Dunn asked for, and was granted unanimous consent to take up Assembly Bill No. 380, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 380

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 413, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, and Thomas—47.

NOES—Babbage, Collier, George D. Collins, Conrad, Hansen, Hinckley, Lanterman, Levering, Stewart, and Tomlinson—10.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1204

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3458

Mr. Brown asked for, and was granted unanimous consent to take up further consideration of Assembly Bill No. 3458, temporarily passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3458

Assembly Bill No. 3458—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Bill read third time.

Demand for Previous Question

Messrs. Levering, Lipscomb, Hinckley, Smith, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3458.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Collier and Sherwin—2.

Bill ordered transmitted to the Senate.

Explanation of Vote

I was called from the Chamber on legislative business immediately prior to the vote on Assembly Bill No. 3458 and was not in the Chamber when the vote was taken. Had I been present I would have voted "Aye."

FRANK LANTERMAN

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for unanimous consent to take up Assembly Bill No. 1724, at this time, without reference to file.

Mr. Beck withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for unanimous consent to take up Assembly Bill No. 3112, at this time, without reference to file.

Point of Order

Mr. Hinckley arose to the following point of order: That the bill is not on file, and Mr. Burkhalter is out of order because the Rules have not been suspended.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Speaker Presiding

At 10.14 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Motion to Temporarily Suspend the Rules

Mr. Burkhalter moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 3112 without reference to file, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—Clarke, Hinckley, Lyon, and Silliman—4.

Speaker Pro Tempore Presiding

At 10.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY BILL NO. 3112 (BY UNANIMOUS CONSENT)

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read third time.

Speaker Presiding

At 10.35 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—55

NOES—Cloyed, Collier, Doyle, Evans, Grant, Grunsky, Hahn, Hansen, Hinckley, Klocksiem, Levering, Lincoln, Luckel, Lyon, Niehouse, Silliman, Stewart, and Mr. Speaker—18.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for unanimous consent to take up Assembly Bill No. 1724, at this time, without reference to file.

Mr. Munnell withheld unanimous consent.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 1724 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Silliman—1

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1724

Assembly Bill No. 1724—An act to amend Section 12001 of the Government Code, relating to the Governor's Office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—52

NOES—Chapel, Dills, Levering, Lowrey, Luckel, McMillan, Niehouse, and Silliman—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1204

Mr. Connolly asked for, and was granted unanimous consent to take up Assembly Bill No. 1204, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1204

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Klocksiem, Lanterman, Luckel, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1204.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—60.

NOES—Belotti, Brady, Chapel, Dickey, Evans, Hawkins, Hollibaugh, Luckel, Lyon, McGee, and McMillan—11.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE ASSEMBLY

Mr. Kirkwood gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE ASSEMBLY BY MR. KIRKWOOD

Notice is hereby given, pursuant to Standing Rule No 5, that on the next legislative day, to wit, on June 19, 1951, I will make a motion with respect to Rule No. 11 of the Standing Rules of the Assembly as follows:

I hereby move that Rule No 11 of the Standing Rules be amended to read:

"Duties of the Speaker Pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. *He shall, ex officio, be a member of the Committee on Rules and shall act as chairman thereof in the absence of the Speaker, but shall have no right to vote on any matter before said committee except that he shall have the right to vote when the Speaker is absent.*"

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1812

Mr. Gubser asked for, and was granted unanimous consent to take up Senate Bill No. 1812, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1812

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 15, 1951, between lines 5 and 6, insert

"Any territory hereafter added to the Santa Clara Valley Water Conservation District, the South Santa Clara Valley Water Conservation District or the Central Santa Clara Valley Water Conservation District shall be automatically excluded from the Santa Clara County Flood Control and Water Conservation District, but shall remain liable to pay, and subject to any lien of, any valid outstanding bonds or other indebtedness of the district and every assessment or tax levied but not collected, at the time of exclusion, in the same manner as though the territory had not been excluded

Whenever any land is so excluded from the Santa Clara County Flood Control and Water Conservation District, the board of supervisors of the district shall make an entry in the minutes describing the boundaries of the district as altered by the exclusion and transmit a copy thereof to the county recorder of Santa Clara County."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1078

Mr. Porter asked for, and was granted unanimous consent to take up Senate Bill No. 1078, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1078

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Bill read third time.

Motion to Amend

Mr. Porter moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Senate on May 28, 1951, after "completed", insert ", and under the same terms and conditions and with the same compensation".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENT

Mr. Stanley announced that no Republican breakfast nor Caucus will be held tomorrow morning.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Subcommittee of the Ways and Means Interim Committee on Adult Education be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 11.27 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

ANNOUNCEMENT

Mr. Waters announced that Senate Bill No. 1216, by Senator Hatfield, will not be heard in the Committee on Elections and Reapportionment tomorrow, as there will be no meeting.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 640, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "and 3634", and insert "3634, 5109, 5112, 5113, 5133, and 5133.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 3 of said bill, after line 44, insert

"SEC. 10. Section 5109 of the Public Utilities Code is amended to read:

5109. "Household goods carrier" includes every corporation or person, their lessees, trustee, receivers or trustees appointed by any court whatsoever, engaged [exclusively] in *the* transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles *being used exclusively* in the transportation of used [uncrated] household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State.

SEC. 11. Section 5112 of the Public Utilities Code is amended to read:

5112. The regulation of the transportation of used [uncrated] household goods and personal effects, office, store, and institution furniture and fixtures *in a motor vehicle or motor vehicles being so used* exclusively, over any public highway in this State shall be exclusively as provided in this chapter. Any provision of the Public Utilities Act or the Highway Carriers Act in conflict with the provisions of this chapter is superseded and repealed.

SEC. 12. Section 5113 of the Public Utilities Code is amended to read:

5113. The transportation of used [and uncrated] household goods, personal effects, office, store, and institution furniture and fixtures in any truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation. This chapter is enacted for the limited purpose of providing necessary regulation for this specialized type of truck transportation only, and is not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted.

SEC. 13. Section 5133 of the Public Utilities Code is amended to read:

5133. Except as provided in Section 5133.5, no household goods carrier shall engage in the business of the transportation of used[, uncrated] household goods and personal effects, office, store, and institution furniture and fixtures for compensation, by motor vehicle over any public highway in this State, unless there is in force a permit issued by the commission authorizing such operations.

SEC. 14. Section 5133.5 of the Public Utilities Code is amended to read:

5133.5. Any person or corporation who was engaged in the business of transporting used [uncrated] household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 5134. The commission shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings.

Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 693

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 693, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 693

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendment:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on June 15, 1951, strike out "claims", and insert "actions against employees of governmental agencies".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENTS

Mr Luckel announced that the bills which were not heard in the Committee on Transportation and Commerce today will be heard tomorrow.

Speaker Sam L Collins again announced that committee chairmen asking for the creation of interim committees are requested to appear before the new Committee on Rules tomorrow and state the need for said committees, and to discuss the appropriations involved.

Mr. Sherwin announced that the Committee on Ways and Means will consider the bills tomorrow which were not considered today.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Finance and Insurance, in Room 3184.

Tomorrow, Tuesday, June 19th—

At 9 a.m.—

Rules, in lounge room of new wing of Capitol.

At 9.30 a.m.—

Civil Service and State Personnel, at desk of Mr. Caldecott.

At 3 p.m.—

Ways and Means.

Transportation and Commerce.

Upon adjournment—

Industrial Relations.

At 8 p.m.—

Judiciary.

Finance and Insurance.

It was announced that the following committees would hold no meetings today:

Ways and Means.

Transportation and Commerce.

It was announced that the following committee would hold no meeting tomorrow:

Elections and Reapportionment.

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON AVIATION

MEMBERS OF THE COMMITTEE

HON. EARL W. STANLEY, Chairman
HON. L. STEWART HINCKLEY
HON. RALPH M. BROWN
HON. LESTER A. MCMILLAN
HON. LAUGHLIN E. WATERS

Letter of Transmittal

CALIFORNIA STATE LEGISLATURE
SACRAMENTO, CALIFORNIA, June 18, 1951

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol
Sacramento, California

The Assembly Interim Committee on Aviation herewith submits its final report.

The committee was created by House Resolution No. 291 of the 1949 Regular Session. The resolution directed the committee to study:

"(a) The regulation and taxation of aircraft;

"(b) The location, establishment, construction, improvement and financing of landing facilities;

"(c) The responsibilities and activities of the California Aeronautics Commission;

"(d) The continuation of the study of zoning in relation to airports, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation."

Under the directions contained in the resolution, the Speaker appointed the following Members of the Assembly to serve on the committee: Earl W. Stanley, Balboa Island, Chairman; Ralph M. Brown, Modesto; L. Stewart Hinckley, Redlands; Lester A. McMillan, Los Angeles; and Laughlin E. Waters, Los Angeles; all of whom gave of their time to the formulation of the conclusions contained in the preliminary and final reports of the committee.

Ways and means of financing airports, and additions to airports, was under consideration, and after a great deal of research and study, ACA 5, AB 182 and AB 183 were introduced in the Assembly. These bills passed the Committee on Constitutional Amendments and the Committee on Municipal and County Government, and upon reaching the Ways and Means Committee, that Committee recommended a further study of the measures by the Interim Committee on Finance and Insurance. This final report is based entirely upon the financing of airports and other public projects.

Respectfully submitted.

EARL W. STANLEY, Chairman
RALPH M. BROWN
LESTER A. McMILLAN
LAUGHLIN E. WATERS

Final Report of the Assembly Interim Committee on Aviation

FINANCING OF AIRPORTS AND OTHER PUBLIC PROJECTS

General Background

In the course of its investigation of the problems of aviation, it became clearly apparent to the committee that one of the major obstacles in the way of the establishment of needed public airports was the difficulty in securing the necessary funds to acquire sites and improve them.

While legal authority exists for the issuance of general obligation, tax supported, bonds for such purposes, practical difficulties often prevent proceeding under this authority. In many cases cities have either reached the statutory limit of the amount of general obligation bonds which they may issue, or desire to reserve whatever remaining margin of bonding capacity they may have in order to carry out other desired improvements. In other cases, notwithstanding the fact that a very substantial majority of the voters may favor an airport project, it may be impossible to obtain the two-thirds vote required by law for the issuance of general obligation bonds by cities and a few other classes of public bodies.

At present there is no state law which permits the issuance of revenue bonds for airport purposes, although airports, if established where there is a need for them, and if the planning and management are good, can and should be fully self-sustaining, and therefore within the classes of public improvements which it is appropriate to finance through revenue bonds. The need for a state law authorizing the issuance of revenue bonds for airport purposes is thus apparent.

However, the studies of the committee revealed that the adoption of such a law, desirable and necessary as it is, would not, in itself, solve the whole problem. This was for two major reasons, first, that in some cases there may be difficulty in selling such bonds to private investors (this suggesting state financing) and, second, that a provision of the California Constitution, as construed by the courts, hampers, and in some cases may preclude, successful financing through revenue bonds, this suggesting an appropriate amendment to the Constitution. These two matters will be discussed separately.

Marketing Bonds—Private and State Financing

It is well known to those who are in touch with such matters that there is a reluctance on the part of private investors to purchase revenue bonds issued for the original construction of a revenue producing public undertaking, because there is no history of earnings, and the sufficiency of the expected earnings must be determined on the basis of estimates and the opinions of experts.

In the case of bonds issued for additions to existing works, the difficulty is somewhat less, for in such cases there is a history of the earnings of the existing works. However, this advantage from a history of earnings is almost completely lost if the earnings of the existing works cannot be charged with the payment of the bonds for the addition. Unfortunately, under the decisions referred to in the next section of this report, there are many cases where the revenues of existing works cannot be applied to the payment of bonds for additions, and such bonds become to all intents and purposes bonds for original construction, unaided by the revenues from existing works. To avoid complexity, the problem will be discussed as if only bonds for original construction were involved, omitting any discussion of the varying differentiations which arise in the comparatively few cases where the revenues from existing works can be used for the payment of bonds for additions.

The reluctance of investors to buy revenue bonds where there is no record of past earnings is natural, for, as their name implies, revenue bonds are payable only from the revenues of the utility, and if the revenues prove to be inadequate obviously the bonds will not be paid. There is a wide and ready market for revenue bonds of public revenue-producing works which have been in operation long enough to demonstrate that their earnings are adequate to meet all costs of operation and maintenance and the principal and interest payments on all bonded indebtedness. In cases where the record is long enough and the adequacy of the revenues is unquestionable, such bonds can be sold at interest rates as low as if they were general obligation bonds. On the other hand, it is not true that in no case can revenue bonds for original construction be sold on the private money market, for there are many projects, large and small, throughout the Country, the original financing of which has been by the sale of revenue bonds on the open market. Generally speaking, these have been cases where information readily at hand disclosed clearly that the need for the improvement was obvious and that there could be no question that the revenues would be adequate.

As the need for a project, the probable demand for its services, and the adequacy of the expected returns become less apparent on the surface, the bonds either become unsalable on the open market, or the interest rate demanded becomes so high as to be almost or completely prohibitive.

Nevertheless, there are many projects where the financial feasibility is not so plainly apparent on the surface, but where on complete investigation they will be found to be intrinsically sound and fully justified. It is at this point that the need for state financing comes into the picture, and this committee believes that such state financing is economically sound and fully justified.

This committee believes that the State should be authorized to purchase revenue bonds issued for projects which, on the fullest investigation, it finds to be intrinsically sound and financially justified as self-sustaining projects, and resell these bonds on the open market as soon as the soundness of the project has become demonstrated to the point where such bonds become marketable.

The committee is fully aware that there are some who believe, and most strenuously assert, that such a plan will result in the bonds of sound projects being sold on the open market to private investors, and a flood of bonds for unsound projects, not economically justified, being bought by the State, remaining in its hands unsold, ultimately going into default, and leaving the taxpayers of the State to suffer the loss.

The committee does not question the sincerity of these objectors, but firmly believes that their objections are based upon a fallacy. *If* the plan suggested by this committee contemplated or authorized the purchasing by the State of bonds *without* the requirement that the State first ascertain that the project is economically sound and will produce adequate revenues, and *if* it be assumed that the commission proposed to be created would fail to make such investigation (whether or not required by the act) and, in flagrant violation of their trust, use the State's money to buy unsound bonds, such fears might be justified.

But such is not the intent of the plan, and the purchase of unsound bonds would be the plainest violation of the terms of the proposed act. The plan contemplates, and, in effect, the proposed act requires, that the State shall purchase only such bonds as would find a ready market among private investors *if as a practical matter they could make the investigation which the State is required to make.*

Therein lies the whole reason for state financing. The private investor in most cases cannot, and even if he could, will not make the necessary investigation to ascertain that a project, the soundness of which is not obvious on casual investigation, is in fact intrinsically sound. The State can and will make such an investigation, and under the plan proposed this would be without cost to the State, for it is required that the interest received by the State shall exceed the interest it pays by an amount sufficient to cover all costs. Thus the cost of investigations falls where it should—on the project itself.

The committee is not overlooking the fact that this element of furnishing to prospective purchasers of the revenue bonds of a project full factual information is customarily covered, so far as practicable, by issuing printed Official Statements, including reports of engineering, accounting and other experts. However, such reports are often unavoidably highly technical and not readily understood by the intending investor without employing other technical experts to check them, at a cost out of all proportion to the investment he may be considering.

In the case of a negotiated sale, as distinguished from sale on competitive bidding, investment bankers may be willing to incur the cost of such an independent investigation, recouping themselves by correspondingly reducing the price they pay for the bonds, but on a competitive sale, no bidder can be sure that he will be the successful bidder, and so has no assurance that he can recoup the costs. Even on a relatively small airport project the cost of an independent investigation by aviation engineers, aviation traffic experts and accountants would certainly be

several hundred dollars. On a larger one it might run well into several tens of thousands of dollars. Obviously, no banking syndicate, without assurance that it is to be the purchaser, will incur such costs, and even more obviously, no prospective purchaser from such a syndicate of a single bond, or even a substantial block of bonds, can think of incurring any such cost. It follows that revenue bonds can be readily marketed only when the official statement carries, both to the banking syndicate which considers bidding for the bonds, and to the ultimate investors considering their purchase on the open market, conviction, unaided by further technical advice, that the project will pay out.

On the other hand, the State can, and under the proposed legislation would be required to, make such an investigation as would assure the ready sale of the bonds on the open market if the purchasing syndicates and the ultimate purchasers in the secondary market could afford to make that investigation for themselves.

What has been said on this subject is not mere theory. The soundness of the principles involved has been demonstrated over a long period and on a huge scale. Whatever may be the merits of the widespread charges of recent politically inspired improprieties in the management of the Reconstruction Finance Corporation (a subject which this committee will not, and obviously should not, enter upon in this report) the record shows beyond question that the plan on which it was founded, basically the same in principles as that here involved, has brought inestimable benefits to public projects throughout the country, and yet resulted in a very substantial cash profit to the United States.

It is not necessary to look outside California to realize what the availability of federal financing has meant to public projects. Three major California projects required financing early in the depression which followed the financial crash of 1929. These were the San Francisco-Oakland Bay Bridge, the Colorado River Aqueduct of the Metropolitan Water District of Southern California, and the Boulder Canyon Project Transmission Line of the Department of Water and Power of the City of Los Angeles At that time there was no demand by investors for municipal bonds. The normal bond market would not absorb such issues. In each case application to the Reconstruction Finance Corporation resulted in the bonds being purchased by it, and the projects proceeding without delay. Without such financing there would have been long and costly delays. Today all of these bonds, not wanted by the private money market when offered, are recognized as securities of the highest standing.

Not only was the Reconstruction Finance Corporation ready to purchase bonds when the unwillingness of private capital was based on the depression, but for many years since the depression was over it has continued to purchase bonds of public agencies which the private money market would not absorb, but which, on just such an investigation as it is contemplated that the State will make, ascertained it to be intrinsically sound, and which experience has proved to be sound, for the records show that defaults in the payment of such bonds have been almost negligible, and no greater than would be normal among a like number of issues, in like amounts, purchased by private bankers.

One of the charges made by those who oppose the plan suggested by this committee is, in effect, that a public board will not pass upon applications for loans with the same intelligence and ability as private bankers

exercise in passing upon bonds offered to them for purchase The record of the Reconstruction Finance Corporation refutes this, for, as stated, its record shows a negligible and normal number of defaults, and a very substantial profit to the United States from its purchases of public agency bonds.

One feature of the Reconstruction Finance Corporation plan, and a most important one, may not be too well known. It was not set up to *compete* with investment bankers, but to provide financing for projects found by it to be financially sound *but the securities for which private capital was unwilling to purchase.* The act of Congress under which that corporation was organized and under which it has operated, expressly provides that it shall not make loans of certain classes, including loans to states, municipalities and public agencies, "unless the financial assistance applied for is not otherwise available on reasonable terms". In other words, it was not to, and does not, purchase bonds which the private money market was or is willing to purchase at reasonable interest rates. This is precisely what the plan suggested by this committee contemplates. The experience of the Reconstruction Finance Corporation demonstrates two things, first, that within the Country there have been a vast number of projects which would pass rigid tests of economic justification, but which private capital would not finance on reasonable terms, and, second, that experience has shown that such projects were in fact intrinsically sound. If this is true as to the Country at large, it is surely true that loans made by the State, in California, under like restrictions and safeguards, will prove as sound and as beneficial as these loans made by the Federal Government.

In closing this discussion of the need for and advantages of state financing, it seems proper to speak briefly of the composition of the commission which it is proposed shall administer the plan. The proposed bill would create a new state commission vested with full authority to administer the plan. This commission would be composed of the

Governor
State Controller
Attorney General
Superintendent of Banks
Director of Finance
State Treasurer
Director of Public Works

These officers would serve ex officio and without additional compensation.

Two Senators, appointed by the Senate Committee on Rules, and two Members of the Assembly, appointed by the Speaker, would sit with the commission, as advisers.

This committee is confident that with the commission so constituted there need be no fear that irregularities such as charged against some of the present officers of the Reconstruction Finance Corporation will ever occur.

This committee preferred to recommend an ex officio commission, and the inclusion of a provision that the Director of Finance should furnish such assistance as the commission might require, because it believed that such a plan of organization would be in the interest of economy.

However, it has been suggested to this committee that it might be preferable to provide for a somewhat larger commission, with the appointees to be persons having no other connection with the service of the State, and with long terms, somewhat after the pattern of the Board of Regents of the State University, in order to remove the commission as far as possible from state politics. If the committees considering the proposed legislation should prefer such a plan of organization, this committee would not object.

The Constitutional Obstacle

As noted above, one of the major difficulties in issuing revenue bonds arises out of the interpretation the California courts have given to a provision of the State Constitution. The subject is an exceedingly complex one. A completely accurate discussion would involve a statement of refinements and exceptions which would unduly extend this report. An over-simplified statement will be sufficient for present purposes.

The constitutional provision involved is usually referred to as the "debt limitation clause" and is found in Section 18 of Article XI. This clause provides that no "county, city, town, township, board of education, or school district" shall incur any indebtedness exceeding its ordinary annual income without two things, first, a two-thirds vote of the electors voting on the proposition, and, second, provision for a tax to pay the principal of and interest on the indebtedness.

The constitutions of many other states contain more or less the same provisions. As a matter of history, the purpose of such debt limitation provisions was to limit the levying of taxes. Consequently, the courts of all the states where the question has arisen, including California, accept the basic principle that the issuance of bonds payable solely out of revenues of a public utility or improvement, and to the payment of which tax money cannot be applied, does not constitute the incurring of an indebtedness within the meaning of such debt limitation provisions. This principle has become generally known as the "special fund theory" or "broad special fund theory."

However, the courts of a few states, including California, have placed a limitation on this broad special fund theory, and adopted what has come to be known as the "limited special fund theory". Stating this limited special fund theory incompletely, but sufficiency for present purposes, it is to the effect that an indebtedness payable out of revenues escapes this debt limitation provision only if the revenues to be applied are the revenues of the works acquired or constructed out of the proceeds of the indebtedness. Thus, in California, while revenue bonds may legally be issued for the original acquisition or construction of works, and be made payable out of the revenues of those works, revenue bonds for an addition to or extension of existing works can be legally issued only if they are payable from the revenues of the addition or extension, as isolated and distinguished from the revenues of the existing works.

This makes it extremely difficult, and in many cases impossible, to legally issue and successfully market revenue bonds for additions and extensions. Yet cases where it is desirable to finance additions and extensions are probably more frequent than cases of original acquisition or construction.

The first difficulty is in the segregation of the revenues of the addition from those of the existing works. Suppose, for example, an airport has been established and in operation for some years, with, say, three runways, loading and unloading facilities, and the usual buildings for waiting rooms, ticket offices, repair shops, and the like. Later it is desirable, as the traffic increases, to acquire additional land and provide, say, two additional runways, and to do so through issuing revenue bonds. Who can segregate with any accuracy the revenues of the addition from the revenues of the previously existing facilities? It may be possible to keep a record of what planes use the new runways, but these planes would also use the previously existing loading and unloading facilities and repair shops, and their passengers would use the waiting rooms, ticket offices and other facilities. Possibly the courts would approve a proration, based on the investment in the original works and the investment in the addition, but they have not done so as yet, and it is by no means certain that they would. An additional investment of, say 20 percent of the original investment might result in only, say, a 10 percent increase in revenue. Some of the increase might have come without the additional runways. Who is to say?

But assuming that in a test case the legal problems arising out of these circumstances have been surmounted, the second obstacle would be encountered Investors might decline to purchase bonds secured by only 10 percent or 20 percent of the net revenue They might purchase them if it appeared that the 10 percent or 20 percent would be amply sufficient, but obviously the bonds would not be as attractive as if they were payable out of the entire revenue of the original works plus the addition. True, the outstanding bonds for the original construction or acquisition would have a claim on the same revenues, but under the logicl assumption made above that some years would have passed, a substantial part of the original issue would have been paid. Assume that the original bonds still outstanding were equal in amount to the new issue, the new bonds, if payable out of all the revenues, would, in effect, be secured by one-half the net revenues, instead of the 10 percent or 20 percent basis resulting from the interpretation of the constitutional provision which the California courts have adopted, and which is out of line with the more generally adopted interpretation in other states.

There are other complications arising out of the California interpretation, but the ones discussed are ample to show that the logical and proper thing to do is to propose a constitutional amendment which will unmistakably give the debt limitation clause the same interpretation as is adopted by the courts of most states in interpreting provisions similar to the existing California provision. This would obviate the difficulties arising out of the California decisions, and put California in step with the majority of the states.

In closing this discussion of the constitutional question, it seems proper to answer an argument which some might otherwise make. Some may say that it is not necessary to amend the Constitution, and that all that is necessary is for the Legislature, in adopting revenue bond legislation, or for the local authorities, in taking revenue bond proceedings, to provide for a two-thirds vote, either in all cases, or at least in those cases where, under the California decisions, such a vote is required. This is not true. It is true that a two-thirds vote could be so required, although we

believe that it should not be. The two-thirds vote requirement is only one of two requirements of the debt limitation clause. The other is that provision must be made for a tax to pay the principal and interest. If, as held by the California decisions, the debt limitation clause is applicable to certain classes of revenue bonds, *both* requirements are equally applicable. Not only a two-thirds vote is required, but provision for a tax to pay the bonds is equally required. It is true that the requirement of provision for a tax does not mean that a tax must actually be levied and collected, *if* sufficient revenues are available from year to year, but the *obligation* to levy and collect a tax exists if revenues are not sufficient. Many general obligation bonds, issued for water works purposes, and the like, are in fact paid out of revenues, without actual taxation.

But even provision for a tax, regardless of actual taxation, cannot be made in the case of revenue bonds without destroying their character as revenue bonds. It would be utterly incongruous and meanlingless to say in one breath that the bonds are to be payable solely out of revenues, and not out of taxation, and in the next to say that provision must be made for a tax to pay the same. In those cases where under the present California decisions a two-thirds vote is required, clearly provision for a tax is also required, and if such provision is made, the bonds become to all intents and purposes general obligation bonds, and all the advantages of the use of revenue bonds is lost. A constitutional amendment is the only way to obviate the requirement of provision for the levying of a tax, without which revenue bonds cease to be such, and become, in practical effect, general obligation bonds.

Interests Other Than Aviation Affected

When the committee began its study of the problems of financing airports and came to the conclusion that the situation demanded provision for the issuance of revenue bonds for airport purposes, it consulted with representatives of the League of California Cities, with investment bankers, and with others familiar with revenue bond financing. These consultations quickly brought the conviction that if it proposed legislation relating to the issuance of bonds only for airport purposes, coupled with provision for the state purchasing such bonds, it would be but adding to the patchwork of inadequate revenue bond laws; that many other public projects were confronted with the same problems as confronted those concerned with aviation, and that the existing laws were just as inadequate for most of them as they were for airport projects. The logical and sensible thing obviously was to propose legislation which would not be limited to airports, but would extend to public revenue projects of all classes.

The committee therefore requested the Legislative Counsel Bureau to draft the necessary measures to accomplish two objectives, first, to authorize public agencies to issue revenue bonds to finance revenue-producing projects which, under other laws, they were authorized to undertake, and, second, to authorize the issuance of state bonds, to provide a fund for the purchase of bonds issued for such projects, and to establish a proper board to administer the fund. This resulted in the

preparation of Assembly Constitutional Amendment No. 5, Assembly Bill No. 182 and Assembly Bill No. 183, which were introduced by the chairman of the committee in its behalf.

However, the office of the Legislative Counsel stated that revenue bond legislation was inherently a complex and specialized matter, and suggested that the committee should have the assistance of a qualified lawyer specializing in that field. Upon inquiry, the committee was told that Mr. Stephen B. Robinson of Los Angeles had probably had more experience in the field of revenue bond law than any other available lawyer, and was nationally recognized as an expert in that field. The committee, therefore, employed Mr. Robinson and he has very substantially revised the three measures, and these revisions have been incorporated in the measures by amendments, as shown by reprints.

The Proposed Legislation

The three measures, so proposed in order to meet the problems discussed above, have been referred to the Assembly Committee on Finance and Insurance for interim study, and for report to the next session of the Legislature which can receive and consider the report of that committee.

The following is a brief statement of the purport of, and reasons for proposing, the three measures, so far as not incidentally disclosed in the foregoing statement.

Assembly Constitutional Amendment No. 5

This is a proposed constitutional amendment, which—

First, authorizes the issuance of general obligation bonds of the State of California, in an aggregate amount not exceeding $200,000,000, to provide a fund, to be used for the purchase by the State of bonds of public agencies, local and state-wide, issued for any public improvement, building, work or undertaking, and for the expenses of preparing and issuing the bonds and administering the fund. By the terms of the bill next discussed, the use of the proceeds of the bonds for expenses is limited to the expenses incident to the first issue of the bonds, and expenses of administration prior to the availability of other funds.

Second, leaves to the Legislature the determination of all other terms and conditions of the bonds and their issuance, and the administration of the fund.

Third, ratifies the act proposed by Assembly Bill No. 183, discussed below.

Fifth, declares that the issuance under said Assembly Bill No. 183, or under any other law or charter, of bonds payable out of revenues, and for the payment of which the power of taxation cannot be exercised, shall not constitute the incurring of indebtedness within the meaning of any provision of the Constitution.

It should be noted that this does not in any way remove the requirement of a two-thirds vote and provision for a tax with respect to the issuance of general obligation bonds by cities and other entities named in the constitutional provision hereinabove discussed. It merely makes it clear that, in line with the prevailing view in other states, the issuance

of revenue bonds, for the payment of which the power of taxation cannot be exercised, does not incur an indebtedness within the meaning of the State Constitution, thus in effect overruling the decisions of the California courts, which, as noted above, are out of step with the rule prevailing elsewhere.

In this connection it may be stated that while this committee is not advocating the repeal of the two-thirds vote requirement now found in the State Constitution, it might well do so, for that provision, notwithstanding its guise of respectability, based on its long standing, and its similarity to provisions in other Constitutions, is, the considered judgment of this committee, unjust, discriminatory, and un-American. It is unjust and discriminatory in that the people of the State, in adopting the Constitution, have saddled upon counties, cities, and the few other public entities named in Section 18 of Article XI, the burden of a two-thirds vote for carrying through any local public improvement, but, by Section 1 of Article XVI have reserved to a mere majority of the voters of the State the privilege of subjecting to taxation for state bond issues all property in the State, which might include the property in some city or county, or other one of the few entities named in Section 18 of Article XI, in which not one single voter may have voted for the state bonds. Thus the State has reserved to itself a right it denies to counties, cities and a few other public entities.

It is also unjust and discriminatory in that it singles out six specified kinds of public entities, viz., any "county, city, town, township, board of education, or school district" from possibly a hundred or a hundred and fifty kinds of public entities existing in the State, and requires a two-thirds vote in them, but leaves all the others free to issue bonds with a mere majority vote, or for that matter, without any popular vote. So far as the Constitution is concerned irrigation districts, conservation districts, reclamation districts, sanitary districts, water districts, and some hundred or more other kinds of districts are free to issue bonds without any popular vote, by mere action of their governing bodies. True, acts of the Legislature usually require a majority vote, and in some cases a two-thirds vote, but the Constitution does not. In the case of the California Toll Bridge Authority the State Legislature permitted the issuance of bonds for the San Francisco-Oakland Bay Bridge without any vote whatsoever, state-wide or local. If a two-thirds vote is required by any inherent reason or logic, it should be required for all public entities, not a few arbitrarily selected ones.

The two-thirds requirement made applicable to a few but important, classes of public entities, is un-American in that it is repugnant to the rule of majority control which is the basis of the concept of a republican or democratic form of government, guaranteed to the states by the Federal Constitution, and adopted by the State Constitution in all other respects. This form of government contemplates that the majority shall control, but Section 18 of Article XI of the State Constitution vests a minority with the control, so far as a few specially selected classes of public bodies are concerned. To say that in such few public entities a

two-thirds vote is required to issue bonds for a public improvement is, in effect, to say that each voter who is opposed to the particular public improvement shall have two votes, but that each person who is in favor of the improvement is to have but one vote. This is wholly un-American.

It should be noted that the approval of the voters of this Assembly Constitutional Amendment No. 5 is necessary to put Assembly Bill No. 182, discussed below, into effect. This is true not only by the express terms of Assembly Bill No. 182 but by virtue of the fact that Section 1 of Article XVI of the Constitution forbids the incurring of state indebtedness without compliance with the terms of that section. A constitutional amendment is necessary to overcome that section.

Approval of Assembly Constitutional Amendment No. 5 by the voters is not necessary to put Assembly Bill No. 183 into effect, but is necessary to overcome the California decisions hereinabove discussed, and give that bill its full usefulness.

This proposed constitutional amendment, Assembly Constitutional Amendment No. 5, is a companion measure to *both* Assembly Bill No. 182 and Assembly Bill No. 183. If either one of the two Assembly bills should not ultimately be approved, Assembly Consitutional Amendment No. 5 should not be rejected, but should be amended so as to relate to the one of the Assembly bills which may receive approval.

Assembly Bill No. 182—State Financing Plan

This bill implements Assembly Constitutional Amendment No. 5 by establishing the procedure, terms and conditions under which the state bonds authorized by that constitutional amendment are to be sold and issued, sets up a commission to administer the fund, and defines its powers and duties.

The composition of the commission has been sufficiently discussed above.

The bill authorizes the commission to determine when and in what amounts (within the total authorization of $200,000,000) the state bonds are to be issued; that payments on the principal shall begin in not more than five years, and be completed in not more than 45 years, from the issuance of the respective issues, and that the bonds may be made subject to redemption.

It is required that sales of the bonds shall be on competitive bidding, and on the basis of the lowest interest cost.

The proceeds of the state bonds are to be used only for the purchase of bonds of public agencies, local or state, except only that such proceeds may be used for expenses until other funds are available. It should be noted that the authorization is broad enough to permit the commission to purchase not only revenue bonds of public agencies, but also their general obligation bonds. As a practical matter, however, the power to purchase general obligation bonds would probably be exercised in comparatively few cases, for, generally speaking, the private market for general obligation bonds would usually be adequate. However, this power might be of the greatest importance in times of depression, when as above noted, there may be substantially no private market for public agency bonds, no matter how sound they may be intrinsically.

The bill provides that the commission may expend in each year, for the purchase of public agency bonds, only such amount as may be budgeted by the Legislature. This would reserve to the Legislature complete control of the extent of the operations of the commission.

One of the most important provisions of the bill is to the effect that, before the commission purchases the bonds of any public agency, it must have satisfied itself, through studies and reports made by or for it, or furnished by the public agency, that the project is economical and feasible, and that the revenues will be sufficient to pay the bonds, in addition to paying all other charges upon the revenues. This provision, as noted above, goes to the very heart of the reason for providing state financing. These are the studies and investigations which, in many cases, private investors cannot or will not make, but which the commission can, and would be required to, make.

The bill further provides that before such bonds are purchased by the commission, they must have been approved by a majority vote of the electors of the public agency. This is subject to two exceptions. The first is that where bonds are issued under a law or charter which does not require a vote, but accords to the voters the right of referendum, the bonds may be purchased. This, in effect, is just what the Legislature did in authorizing the California Toll Bridge Authority to issue revenue bonds for the San Francisco-Oakland Bay Bridge. The law required no popular vote, but of course was subject to referendum. The second exception is that the commission may waive the requirement of a vote by adopting a resolution stating reasons which show that it is in the public interest that it should do so. This, of course, is akin to the power of the Legislature, and of the legislative bodies of cities and other bodies, to enact urgency legislation, to take effect immediately, thereby cutting off the usual right of referendum.

Another important provision is that the commission shall not purchase any public agency bonds unless they will yield to the State an interest return at least $\frac{1}{4}$ percent above the interest cost to the State of the money used for the purchase. This differential is designed to be the source from which all the expenses of the plan will be paid. The differential is not limited to $\frac{1}{4}$ percent, but must be such as in the judgment of the commission will make the plan self-sustaining at the earliest possible time. It is also provided that after the plan has become fully self-sustaining, and any advances have been repaid, the commission may purchase future bond issues on the basis of a less differential, but not less than it determines will keep its operations self-sustaining.

The bill further provides that the commission may resell public agency bonds purchased by it, upon due notice. Obviously, the time when such resales shall be made must be left to the discretion of the commission, for otherwise the State might suffer losses, but the intent is that such resales shall be made as soon as private investors will purchase the bonds.

The bill requires the commission, Controller and Treasurer to keep full accounts and to make annual reports to the Governor.

The bill also contains many routine provisions, appropriate for a bill authorizing state bonds.

By its terms the bill is only to become effective upon the adoption of a constitutional amendment authorizing the state bonds.

Assembly Bill No. 183—Public Agencies Revenue Bond Law

This bill is designed solely to provide an alternative method for financing public revenue-producing projects, local or state. It does not authorize the undertaking of any project whatsoever. The project must be authorized by other laws or charters. If so authorized, and only if so authorized, it may be financed under this bill through the issuance of revenue bonds, as an alternative to any other medium of financing which may be provided by law or charter.

It has been recognized by many concerned with the financing of public revenue-producing projects, whether as investment bankers or as representatives of such public agencies, that there is great need in California for an adequate and uniform revenue bond law, applicable to all public agencies which may desire to issue revenue bonds. Representatives of the League of California Cities have stressed the need for such a law. This bill proposes just such a law.

A limited number of highly successful California projects have been financed through revenue bonds.

The San Francisco-Oakland Bay Bridge is a notable example, but its financing was carried through under a law applicable only to the California Toll Bridge Authority.

The more recent developments of the Los Angeles Department of Water and Power have been financed solely through revenue bonds. These developments have included the Boulder Canyon Transmission Line, the acquisition of the electric system of the Los Angeles Gas and Electric Corporation, and the Owens Gorge Power Plants, now in course of construction, and numerous substantial developments of a more routine character. These, however, were all carried out under provisions of the Los Angeles charter, applicable to that department alone, and not available even to other departments of the same city.

The Imperial Irrigation District, and some other major irrigation districts, have successfully financed major undertakings by means of revenue bonds. This, however, has been done under the Irrigation Districts Law, which while of somewhat more general application, is available only to irrigation districts.

Notwithstanding the highly successful use of this method of financing by these outstanding agencies, operating under laws of strictly limited application, this method of financing has been practically unavailable to cities generally, and to the great number of public agencies, local and state, which exist in California. A revenue bond law for sewage and sanitation purposes has been on the statute books for 10 years, and more recently other enactments have authorized revenue bonds for water supplies of cities, for off-street parking, and for a few purposes of limited interest. These laws, however, have remained practically unused, and it

is generally understood that this has been for two reasons, first, the inadequacy of these present laws, and, second the decisions of the California courts discussed earlier in this report. For undertakings other than those of the kinds referred to, there is absolutely no revenue bond law on the statute books.

The proposed legislation would correct this unsatisfactory situation, Assembly Bill No. 183 supplying a revenue bond law available to all public agencies, local and state, and Assembly Constitutional Amendment No. 5 overcoming the difficulties arising from the court decisions.

Detailed discussion of Assembly Bill No. 183 seems unnecessary. The bill is of considerable length, but most of its provisions relate to the necessarily complex and technical procedures for issuing revenue bonds.

Its provisions, other than those of a technical nature, can be summarized as follows:

No revenue bonds are to be issued without a majority vote, excepting only that where works have already been established and the public agency has the legal duty to supply its services to those within its service area, such bonds may be issued without a vote, if the proposition of issuing them is subject to referendum.

The plan would be available for groups of public agencies cooperating in undertaking a common project.

Before the public agency issues such bonds it must obtain a report from agency officers or independent experts, covering the cost of the project, the probable sources and amount of income, and the costs of maintenance and operation, including administrative and overhead expenses.

The bonds shall be payable solely from specified revenues and shall not be general obligations of the agency.

First maturities of bonds may be deferred five years. Maximum maturity not to exceed 40 years.

Bonds to be sold only on competitive sale, except when sold to the United States or the State, and except in cases of extreme emergency. It should be noted that there is no requirement that the bonds shall be sold to the State under Assembly Bill No. 182. The public agency would be free to sell its bonds on the open market, and the act would be operative even if Assembly Bill No. 182 were not passed, or did not become effective through the failure of the voters to approve Assembly Constitutional Amendment No. 5.

Bonds not to yield to purchasers more than 6 percent.

Refunding bonds may be issued.

Validation proceedings may be had in superior court.

Contributions may be accepted, and public agency may cooperate with other public agencies, local, state, or federal.

This brief summarization of the provisions of the bill has been prepared from the standpoint of commenting upon those elements of the bill which affect the interests of the public, as distinguished from the interests of those who may become purchasers of the bonds. The bill contains ample provisions for the protection of the bondholders and those who may be interested in the problem from that standpoint should, of course, study the provisions of the bill itself.

Conclusion

It is the purpose of the committee in proposing these measures to facilitate the undertaking of public revenue-producing projects which are well planned to meet real needs, and which are economically and financially sound. Projects which do not come up to these standards should be rejected. The committee is confident that the plan will be ably administered by the proposed commission, and that inestimable benefits will result to the people of the State of California through the adoption of the measures, and the consummation of the plans they would authorize.

Copies of the three measures, as amended, are appended, as follows:

Assembly Constitutional Amendment No. 5—Exhibit No. 1
Assembly Bill No. 182—Exhibit No. 2
Assembly Bill No. 183—Exhibit No. 3

EXHIBIT NO. 1

AMENDED IN ASSEMBLY APRIL 20, 1951

AMENDED IN ASSEMBLY MARCH 23, 1951

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

Assembly Constitutional Amendment No. 5

Introduced by Mr. Stanley

January 9, 1951

REFERRED TO COMMITTEE ON CONSTITUTIONAL AMENDMENTS

Assembly Constitutional Amendment No 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17 to Article XVI thereof, authorizing the issuance of bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for any public improvement, work or undertaking.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1951 Regular Session, commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 17 to Article XVI thereof, to read:

SEC. 17. The issuance and sale of bonds of the State of California in the sum of two hundred million dollars ($200,000,000) is hereby authorized.

The proceeds of such bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county,

city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for any public improvement, building, work or undertaking.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

All matters pertaining to the terms and conditions of the bonds authorized hereby, and to their preparation, execution, sale and issuance, or in any manner relating to said bonds, and all matters pertaining to the administration of the fund created by the sale thereof, shall be as from time to time provided by the Legislature.

The Public Agencies Improvement Bond Act of 1951 (Chapter ____, Statutes of 1951) is hereby ratified, validated, confirmed, and made fully and completely effective. No further act of the Legislature shall be necessary in furtherance of the provisions hereof, but this shall not prevent such legislative action.

The Public Agencies Revenue Bond Law (Chapter ____, Statutes of 1951) is also hereby ratified, validated, confirmed, and made fully and completely effective, and it is hereby declared that the issuance under said act, or under any other law or charter, of bonds payable out of revenues, and for the payment of which the power of taxation cannot be exercised, shall not constitute the incurring of indebtedness within the meaning of any provision of this Constitution, and nothing in this Constitution shall be a limitation upon the provisions of this section.

The ratification, validation, confirmation and making effective of said acts shall not preclude the subsequent amendment of said acts, or either of them, by the Legislature; provided, that no such amendment of either of said acts shall impair or adversely affect the rights or interests of the holders of any bonds theretofore issued under said act.

The people of the State of California in adopting this section hereby declare that the great growth in population of the State has made it necessary to provide for the welfare of the people through facilitating the establishment of public improvements, buildings, works or understandings as rapidly as possible, and at the lowest cost consistent with sound planning, and it is therefore in the interest of the State and of the people thereof for the State to finance public improvements, buildings, works or undertakings of state and local public agencies issued therefor.

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EXHIBIT NO. 2

AMENDED IN ASSEMBLY APRIL 16, 1951

AMENDED IN ASSEMBLY MARCH 16, 1951

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

ASSEMBLY BILL No. 182

Introduced by Mr. Stanley

January 9, 1951

REFERRED TO COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

An act providing for the issuance and sale of state bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or any combination of such public agencies, for any public improvement, building, work or undertaking; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest on such state bonds as such interest falls due, and also for the payment and discharge of the principal of such state bonds as such principal matures; and appropriating money for the payment of principal and interest of the bonds authorized hereby and for the payment of expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

The people of the State of California do enact as follows:

1 Article 1. Short Title and Definitions
2
3 SECTION 1. This act may be cited as a Public Agencies
4 Improvement Bond Act of 1951.

SEC. 2. As used in this act:

(a) "Public agency" means a county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local.

(b) "Commission" means the commission created by Section 4 of this act.

(c) "Fund" means the fund created by Section 5 of this act.

(d) "Public improvement" means any public improvement, building, work or undertaking, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public improvement, building, work or undertaking, and shall include maintenance, repair and operation of any such public improvement, building, work or undertaking.

Article 2. Authorization and Purposes of Bonds

SEC. 3. The issuance and sale of bonds of the State of California, and the creation of an indebtedness, or indebtednesses, liability or liabilities, of the State of California, not exceeding in the aggregate the sum of one billion dollars ($1,000,000,000), is hereby authorized, and the proceeds of said bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for public improvements.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of said fund.

The said fund shall be a limitation upon the aggregate amount of all bonds which may be issued hereunder, and not merely upon the amount which may be outstanding at any one time.

Article 3. Creation of Commission and Fund

SEC. 4. There is hereby created a State Public Agencies Improvement Finance Commission composed of the Governor, State Controller, Attorney General, Superintendent of Banks, Director of Finance, State Treasurer, and Director of Public

Works, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said commission. Two Members of the Senate appointed by the Senate Committee on Rules and two Members of the Assembly appointed by the Speaker, shall meet and advise with the commission to the extent that such advisory participation is not incompatible with their respective positions as Members of the Legislature. The Director of Finance shall provide such assistance to the State Public Agencies Improvement Finance Commission as it may require. The Attorney General of the State shall be the legal adviser of the commission.

SEC. 5. There is hereby created in the State Treasury a fund to be known as the Public Agencies Loan Fund.

Article 4. Appropriation for Expenses

SEC. 6. Out of any money in the General Fund not otherwise appropriated, the sum of _____ dollars ($_____) is hereby appropriated to the State Treasurer, without regard to fiscal years, to pay the expenses incurred by the State Treasurer in preparing the bonds of the first issue of the bonds authorized by this act, and in advertising for the sale thereof, or in any manner in connection therewith, and out of any money in the General Fund not otherwise appropriated, the sum of _____ dollars ($ _____) is hereby appropriated to the commission, without regard to fiscal years, to pay the expenses incurred by the commission in the administration of the fund When any bonds of the first issue authorized by this act have been sold, out of money received from the sale of such bonds, there shall be deposited in the General Fund to the credit of the appropriations made by this section such amount as the State Treasurer has expended for the said purposes, and as the said commission has expended for the said purposes. Upon the deposit of such amounts to the credit of such appropriations, respectively, such appropriations shall revert to the unappropriated surplus in the General Fund. Upon the reversion of the General Fund appropriations made by this section, respectively, as herein provided, all expenses subsequently incurred by the State Treasurer in preparing, advertising for sale, or advertising the redemption prior to maturity of any bonds authorized by this act, and all expenses subsequently incurred by the commission in the administration of the fund, shall be payable out of the fund.

Article 5. Amounts, Maturities and Other Terms of Bonds

SEC. 7. The commission shall determine the necessity or desirability of issuing any bonds authorized under this act in order to purchase bonds issued by any public agency or agencies to finance public improvements, and the amount of bonds then

to be issued and sold. Successive issues of bonds may be authorized and sold to make such purchases progressively and shall be designated by an appropriate number or other designation. It shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

SEC. 8. Whenever the commission shall have determined that the sale of all or any part of the bonds authorized to be issued under this act is necessary or desirable to purchase bonds issued by any public agency or agencies to finance public improvements, it shall adopt a resolution to that effect. The said resolution shall authorize and direct the State Treasurer to provide for the preparation of the requisite number of suitable bonds then authorized to be sold and shall specify as to such bonds then to be sold:

1. The aggregate number, aggregate par value, denominations and the date of the bonds to be then sold. Such denominations shall be in the sum of one thousand dollars ($1,000), or multiples thereof.

2. The dates of maturity, and the amount and numerical sequence of the bonds maturing at each date of maturity, which amounts need not be equal, but which dates shall be at annual or semiannual intervals, and the first of which dates of maturity shall be not more than five years, and the last of which dates of maturity shall be not more than 45 years, after the date of said bonds.

3. Whether or not said bonds are to be subject to redemption at the option of the commission prior to maturity, and, if so, the provisions for such redemption, the manner of the call thereof, and the price or prices at which said bonds shall be subject to redemption.

4. The maximum annual rate, or rates, of interest which the bonds to be issued shall bear, which shall be in multiples of one-fourth of 1 percent, and which rate, or rates, shall not exceed 5 percent per annum, payable semiannually.

5. The number, numerical sequence and due dates of the interest coupons to be attached to said bonds.

6. The technical form and language of said bonds and of the interest coupons to be attached thereto.

7. Whether or not the right is reserved to make delivery in the form of temporary or interim bonds, certificates or receipts, exchangeable for definitive bonds when executed and available for delivery, and if such right is reserved the denominations and form of such temporary securities.

8. Whether or not the bonds are to be subject to registration, and if so, whether such registration is to be as to principal only, or as to both principal and interest, or in either of said forms at the option of the holder, and the form and all of the terms and conditions of such registration. If such registration is provided for, all of the provisions of this act with reference to the payment of bonds and interest coupons shall be subject

to the terms and conditions of such registration with respect to the payment of registered bonds and the interest thereon.

9. All other terms and conditions of the bonds and of the execution, issuance and sale thereof, which shall be consistent with all of the provisions of this act.

10. The date and hour fixed for the sale of the bonds, but such date may be changed by the Governor, in his discretion, by his directions given to the State Treasurer under Section 20 of this act.

SEC. 9. In determining the dates of maturity of the said state bonds, and the amount thereof to mature at each date of maturity, the commission shall be guided, so far as it may deem to be practicable, by the estimated amounts and dates of maturity of, and interest payments on, the bonds of public agencies expected to be purchased, and the expected amount and time of the receipt of the proceeds of the resale thereof, and shall fix and determine said dates and amounts of such maturities of such state bonds in such manner that, together with the dates and amounts of interest payments on the bonds of said issue, they shall coincide, as nearly as it may deem to be practicable, with the dates and amounts of such estimated receipts.

SEC. 10. The rate of interest to be borne by the said state bonds need not be uniform for all bonds of the same issue, and the interest coupons first payable may be so payable at any time within one year after the date of such bonds.

SEC 11. Both principal of and interest on the state bonds hereby authorized shall be payable in lawful money of the United States, at the Office of the State Treasurer, or at the office of the state fiscal agent, in the City of New York, State of New York, or at the office of any duly authorized agent of the State Treasurer.

SEC 12. Each bond issued under this act shall contain a reference to this act, and to the resolution or resolutions of the commission under which said bond is issued, and, if subject to call or redemption prior to maturity, shall contain a recital to that effect.

Article 6. Preparation and Execution of Bonds

SEC. 13 Immediately after the adoption by the commission of any resolution provided for in Section 8 of this act, the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds, in accordance with the specifications contained in said resolution, and in so doing shall arrange for the imprinting thereon of the interest rates and other appropriate matter after the sale of the bonds and the awarding thereof to the successful bidder.

SEC. 14. All bonds issued under this act shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State

Treasurer either by original signature or by a signature stamp, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer. Each such signature shall be that of the person who shall be in office at the date of the affixing thereof, in the case of original or stamped signatures, or at the date of authorizing the affixing thereof, in the case of facsimile signatures. Bonds and coupons so executed shall be valid and binding notwithstanding any of such persons having ceased to hold his respective office before their issuance and delivery.

SEC. 15. Whenever the commission may determine by resolution that for any reason any bonds which have been prepared and executed under the foregoing provisions should not be sold or issued, the State Treasurer shall cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. Upon the commission so determining by resolution, new bonds, conforming to its directions, may be prepared and executed in lieu of any bonds so canceled, and may be sold and issued in the same manner as other bonds authorized by this act.

SEC 16 If the right so to do has been reserved in the resolution adopted under Section 8 of this act, temporary or interim bonds, certificates or receipts may be issued and delivered in lieu of definitive bonds, and shall be exchangeable for such definitive bonds when they are executed and available for delivery. Such temporary securities shall conform to such resolution, and the signature of the State Treasurer alone, which may be by signature stamp, shall be sufficient execution thereof.

Article 7. Pledge of Full Faith and Credit, and Authorization of Taxation

SEC. 17. All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal thereof and the interest thereon.

SEC. 18. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this act, as said principal and interest become due and payable.

SEC. 19. There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as together with such sums as may be made available from the fund created by this act, shall be required to pay the principal of and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in

regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

Article 8. Sale of Bonds

SEC. 20. Following the adoption by the commission of any resolution provided for in Section 8 of this act, the Governor shall direct the State Treasurer, in writing, under the seal of the State, to offer the bonds specified in said resolution for sale at a specified day and hour.

SEC. 21. Due notice of the time and place of sale of the said bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles, once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised.

SEC. 22. The State Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale to such time and place as he may select.

SEC. 23. Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for one percent (1%) of the par value of the bonds so offered for sale, drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California Such deposit shall not bear interest.

SEC. 24. The said bonds specified in said resolution and in said direction of the Governor shall be sold by the State Treasurer at the time so directed by the Governor, or at the time to which the sale shall have been so continued, at public sale, upon sealed bids, to the bidder whose bid will result in the lowest net interest cost on account of such bonds, but the State Treasurer must reject any and all bids for said bonds which shall be below the par value thereof plus the interest which shall have accrued thereon from the date thereof (or, if any past due coupon or coupons have been detached from said bonds prior to the delivery thereof, then from the due date of the latest coupon so detached) to the date of the purchaser's payment for said bonds. The net interest cost under each bid shall be determined by ascertaining the total amount of interest which the State would be required to pay under that bid, from the date of sale to the respective maturity dates of the bonds then offered for sale, at the coupon rate or rates specified in such bid, less the total amount of the premium (if any) offered by such bid. The bid under which the amount so ascertained is the least shall be deemed to be the bid resulting in the lowest net interest cost.

Such sale shall be for cash, payable upon the delivery of the bonds in definitive form, or if the right to deliver temporary securities has been reserved, then upon the delivery of such temporary securities.

SEC. 25. The deposit of each unsuccessful bidder shall be returned to him immediately upon the rejection of his bid or the acceptance of another bid.

The deposit of the successful bidder shall, immediately upon the acceptance of his bid, become and be the property of the State of California and be placed in the State Treasury to the credit of the fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, nor, unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed, shall such successful bidder have any right to the recovery of said deposit accompanying said bid or to any allowance or credit by reason of such deposit.

SEC. 26. Upon payment in full for said bonds, the same shall be delivered to the purchaser in definitive form, unless the right to deliver temporary securities has been reserved or the purchaser has waived the right to receive definitive bonds at the time of payment, in either of which events such temporary securities, exchangeable for definitive bonds, may be delivered upon such payment. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer, upon notice, as provided in case of original sale.

SEC. 27. The proceeds of each sale of bonds authorized by this act, and such amount as may have been paid as accrued interest on such bonds, shall be forthwith paid over by the State Treasurer into the fund. All money deposited in the fund under the provisions of this section which is derived from premium and accrued interest on bonds sold shall be reserved in said fund and shall be available for transfer to the General Fund as provided by Section 38 of this act.

SEC. 28. Whenever the commission deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, the legal opinion, other than that of the Attorney General, as to the validity of the bonds, the commission may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made from the fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose.

SEC. 29. The commission shall have full charge and control of the administration of the fund. The proceeds of the sale of all bonds authorized by this act, other than such sums as may be received as premiums or as accrued interest, shall be used

exclusively for the purchase of bonds issued by public agencies for public improvements, excepting only that, to such extent as other moneys are not available therefor, such proceeds may be used for the purposes specified in paragraph (b) of Section 3 of this act. The commission may also use for the purchase of such bonds issued by public agencies any money in the fund, whether derived from the resale of bonds of public agencies or otherwise, not required by the terms of this act to be applied to some other purpose. No portion of such proceeds or of the fund shall be used for the purchase of general obligation bonds of the State.

SEC. 30. The commission shall not disburse in any fiscal year for the purchase of bonds issued by public agencies any amount in excess of an amount determined by the Legislature and by it budgeted for such use.

SEC. 31. Before any bonds of a public agency, other than general obligation bonds, are purchased by the commission:

(a) The public agency shall have approved the public improvement for which its bonds are issued.

(b) The commission shall have satisfied itself, either through a thorough study and investigation made by or for it, or through studies and reports, satisfactory to the commission, furnished by the public agency, that the public improvement for which the bonds are issued is economical and feasible and that the receipts of the public agency charged with the payment of such bonds will be sufficient to pay all sums accruing as principal or interest on said bonds until they have been fully paid, in addition to paying all other charges against said receipts. If it so determines, it shall approve the public improvement.

(c) The issuance of such bonds of such public agency shall have been authorized or approved by a majority of the electors thereof voting on the proposition at an election at which the same shall have been duly submitted; provided, however, that the commission may waive the requirement of this paragraph (c) in any case where the law or charter under which the bonds of the public agency are issued does not require such vote, but accords to the electors thereof the right of referendum on the question of the issuance of such bonds, or in any case where the commission shall determine by resolution that, for reasons stated in such resolution, it is in the public interest to do so.

Before any bonds of a public agency are purchased by the commission it may require the public agency to furnish a legal opinion as to the validity of the bonds, rendered by bond counsel approved by the commission.

SEC. 32. The commission shall not purchase any bonds issued by any public agency unless it shall be satisfied that such bonds will yield to the State an average rate of return of not less than one-fourth of 1 percent ($\frac{1}{4}\%$) above the net interest cost to the State of the money used for such purchase. It is the intent of this provision that the differential between the yield

received by the State on bonds of public agencies purchased and the net interest cost of the money used for such purchase shall be the primary source from which the expenses of administering the fund shall be paid, and the prices to be paid for bonds of public agencies shall be such as in the judgment of the commission will result in its operations becoming self-sustaining at the earliest practicable time. At any time after the operations of the commission have become fully self-sustaining, and after all amounts advanced from the General Fund for payments of principal or interest on state bonds issued under this act, not met by moneys in the fund, have been repaid, the commission may purchase bonds of any public agency on a basis estimated to yield less than one-fourth of 1 percent (¼%) in excess of the net interest cost of the money used, but not less than it shall estimate to be sufficient to keep the operation of the commission self-sustaining.

SEC. 33. The commission may purchase any such bonds of a public agency either by direct negotiation or by becoming a bidder when any such bonds are offered for public sale. In any case where the commission may purchase any such bonds of a public agency which are issued to provide only a part of the cost of a public improvement and it is contemplated that one or more additional issues of such bonds will thereafter be issued to provide the cost of completing such public improvement, the commission may enter into a commitment to purchase such future issues, subject to such limitations of price and interest rates and such other terms and conditions as the commission may deem proper.

SEC. 34. Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, bonds issued by any such public agencies jointly or by any board or commission established to administer or control such undertaking, to finance the same, shall be deemed to be bonds of a public agency within the meaning of this act, and, to the extent necessary to give effect to this section, the words "public agency" and "public agencies," wherever used in this act, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that the approval required by paragraph (a) of Section 31 of this act shall be the approval of each public agency so joining or cooperating, and the approval by vote of the electors required by paragraph (c) of said section, unless waived as herein provided, shall be the approving vote of a majority of the electors of each public agency so joining or cooperating voting on the proposition.

SEC. 35. Whenever the commission shall deem it to be in the interests of the State so to do, it may offer any or all bonds of public agencies held by it for public sale at such times and places and after such notice as it may determine to be proper. Sales need not be made after such offer, but the commission may withdraw such bonds from sale, and may again offer them for

sale from time to time as it may determine to be proper to effectuate the purposes of this act, and as the commission may determine to be required by sound financial administration.

SEC. 36. The proceeds of the sale of bonds pursuant to Section 35 of this act shall be deposited in the fund.

SEC. 37. All interest paid to the State by any public agency upon bonds purchased by the commission pursuant to this act shall be deposited in the fund.

SEC. 38. On the several dates when payments of principal or interest become due on bonds issued under this act there shall be transferred into the General Fund in the State Treasury from the fund, so far as available therein, amounts equal to all sums so becoming due for principal or interest on said bonds. Money in the fund derived from the differential provided for in Section 32 of this act, or derived from the proceeds of the sale of bonds authorized by this act (other than sums received as premiums or accrued interest) shall not be deemed to be available for such transfer; provided, however, that if the commission shall deem the amount in the fund derived from such differential to be inadequate to meet the current expenses of administering the fund, it may direct that such additional amount as it may specify shall be withheld from such transfers; and provided further, that if the commission shall deem the amount in the fund derived from such differential to be more than sufficient to meet such current expenses, it may direct that such amount thereof as it may specify shall be included in any such transfer to the General Fund.

SEC. 39. If the amounts transferred to the General Fund pursuant to Section 38 of this act are insufficient to reimburse the General Fund in full for all amounts of principal and interest paid on said bonds, the balance remaining unpaid shall be transferred from the fund to said General Fund as soon thereafter as such transfer can be made consistently with the provisions of Section 38 of this act as to the availability of moneys in the fund

SEC. 40. All actual and necessary expenses of the commission and of the members thereof incurred in the performance of their duties arising out of the provisions of this act shall be paid out of the fund. Such expenses incurred by members of the commission shall be so paid upon claims filed with the State Controller by the member or members of said commission who incurred such expenses.

SEC. 41. The Department of Finance is authorized, to invest any surplus money in the fund in bonds or other obligations of the United States, or of the State of California, or of any public agency, and to sell such bonds, or obligations, or any of them, at the governing market rates. Interest earned or other increment derived from investments made pursuant to this section shall, on order of the State Controller, be deposited in the fund, and shall be available only for transfer to the General Fund, as provided in Section 38 of this act.

SEC. 42. The Controller, the State Treasurer and the commission shall keep full and particular account and record of all their proceedings under this act and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be transmitted by the Governor to the Legislature annually; and all books and papers pertaining to the matters provided for in this act shall at all times be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State.

Article 10. Payment and Cancellation of Bonds

SEC. 43. The State Treasurer, directly or through the state fiscal agent, at New York, New York, or through a duly authorized agent, shall, on the respective dates of maturity of all bonds issued under this act, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said bonds (other than coupons canceled because of the redemption of any of said bonds prior to maturity) or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such state fiscal agent, or other duly authorized agent, pay the same.

SEC. 44. Upon the payment of any such bond or coupon, the State Treasurer, or such state fiscal agent, or other duly authorized agent, shall perforate the same with a suitable device in a manner to indicate such payment and the date thereof. The State Treasurer, or such state fiscal agent, or other duly authorized agent, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold.

SEC. 45. Not less than four (4) years after the final maturity date of any particular issue of bonds, the State Treasurer, or such state fiscal agent, or other duly authorized agent, may destroy or cremate any or all bonds of such issue and any or all coupons pertaining thereto which have been previously paid or canceled as provided herein.

SEC. 46. Whenever any payment of principal of any bonds issued under this act shall become due, either upon the maturity of any of said bonds or upon the redemption of any thereof prior to maturity, and whenever any interest on any of said bonds shall fall due, warrants shall be drawn against the appropriation made by Section 18 of this act from the General Fund by the Controller of the State in favor of the State Treasurer, or the state fiscal agent, or other duly authorized agent,

pursuant to claims filed with the State Controller by the State Treasurer, in the amounts so falling due, and the amounts so paid for such principal and interest shall be charged against the proceeds of said warrants.

Article 11. Redemption of Bonds

SEC. 47. Whenever the commission shall determine that any bonds issued under this act and then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available in the fund at the time proposed for such redemption, it may by resolution direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem said bonds in accordance with the provisions for redemption provided for in the resolution of the commission adopted under Section 8 of this act pursuant to which the bonds so to be called were issued.

Article 12. Other Laws Applicable

SEC. 48. So far as consistent with the provisions of this act, all of the provisions of Part 3, entitled "State Bonds," of Division 4, Title 2, of the Government Code, and of such other acts of the Legislature as relate to state bonds generally, and to the powers and duties of state officers related thereto, but not such acts as relate to specific issues of state bonds, or to state bonds of specified classes, shall be applicable to the bonds authorized by this act and to the powers and duties of state officers related thereto.

Article 13. Taking Effect of This Act

SEC. 49. This act shall take effect only if an amendment to the Constitution of the State of California authorizing the issuance of bonds of the State of California in the sum of one billion dollars ($1,000,000,000) for the purposes specified in Section 3 of this act, and ratifying, validating, confirming and making fully and completely effective this act, shall be adopted by the voters and become effective, and in such case this act shall take effect at the same time such amendment takes effect

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EXHIBIT NO. 3

AMENDED IN ASSEMBLY APRIL 16, 1951

AMENDED IN ASSEMBLY MARCH 26, 1951

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

ASSEMBLY BILL No. 183

Introduced by Mr. Stanley

January 9, 1951

REFERRED TO COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to the powers and duties of public agencies of the State, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, and the powers and duties of the legislative and governing bodies thereof, and authorizing the issuance and sale by such public agencies, or by any combination of such public agencies, of revenue bonds to finance any public improvement, building, work or undertaking, or expenditures incidental thereto.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5.5 is added to Part 1 of Division 2
2 of Title 5 of the Government Code, to read:
3
4 CHAPTER 5.5. PUBLIC AGENCIES REVENUE BOND LAW
5
6 Article 1. General
7
8 54150. This chapter may be cited as the Public Agencies
9 Revenue Bond Law.
10 54151. This chapter shall be liberally construed to carry
11 out its objects and purposes and to facilitate the financing of
12 public improvements as herein defined through the medium of
13 revenue bonds, and to protect the holders of such bonds.

54152. As used in this chapter, "public agency" means any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local.

54153. As used in this chapter, "public improvement" means any revenue producing public improvement, building, work or undertaking, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public improvement, building, work or undertaking, and shall include maintenance, repair and operation of any such public improvement, building, work or undertaking.

54154. As used in this chapter, except as otherwise indicated in Section 54158, "legislative body" means the board of supervisors in the case of a county or city and county, the city council, board of trustees or other legislative body in the case of a city, and the board of directors or other governing body in the case of a district or other public agency which has such a board of directors or other governing body. In the case of a public agency which is itself a board, "legislative body" means such board. In the case of any other public agency, "legislative body" shall mean the board or officer having control of the expenditure of the funds of such public agency.

54155. As used in this chapter, "bonds" means the written evidence of any obligation incurred by a public agency pursuant to this chapter, payable out of revenues, either alone or with other sources of payment specified in Section 54177, in order to secure funds with which to finance any public improvement, irrespective of the form of such obligation whether in the form of bonds, notes, debentures, interest-bearing certificates, or other forms prescribed by the legislative body.

54156. As used in this chapter, "revenue" means all fees, rates, charges, rentals, or other income and revenue actually received or receivable by or for the account of the public agency from the operation of any revenue producing public works, including without limiting the generality of the foregoing, interest allowed on any money or securities in which any revenues or other moneys applicable to the payment of such bonds may have been invested, any proceeds derived from the sale of any such securities, and any consideration in any way derived from any such revenue producing public works owned, controlled, operated or maintained by the public agency.

54157. When any public agency is now or hereafter authorized by law or charter to undertake any public improvement, either by itself or in conjunction with any other public agency, such improvement may be undertaken through the issuance of revenue bonds, pursuant to this chapter.

54158. (a) No revenue bonds shall be issued by any public agency under this act unless and until there shall have been

submitted to the electors of such public agency at a general or special election the proposition of issuing such revenue bonds, and such proposition shall have received the approving vote of a majority of such electors voting upon the proposition.

(b) If the legislative body (as defined in this chapter) of such public agency is not invested with the power to call and conduct elections in such public agency, the appropriate legislative body (as commonly understood and not as so defined) invested with power to call elections within the area within which the public agency, or a portion thereof, lies, shall have power to, and upon the request of the legislative body (as so defined), shall, call, conduct and declare the result of such election, in accordance, as nearly as such body calling such election shall deem to be practicable, with the laws relating to the holding of elections within the area over which it has jurisdiction.

If the public agency is a state agency, the appropriate legislative body, within the meaning of this section, shall be the State Legislature.

If the public agency is a local agency, the appropriate legislative body, within the meaning of this section, shall be as follows: (i) If the public agency lies within more than one county or city and county; the board of supervisors of the county or city and county of greatest population within which any part of the public agency lies; (ii) if the public agency is coterminous with any county or city and county; the board of supervisors of such county or city and county; (iii) if the public agency lies within a county but embraces less than the whole area thereof and consists in major part of territory not within any city; the board of supervisors of such county; (iv) if the public agency lies within a city and county but embraces less than the whole area thereof; the board of supervisors of such city and county; (v) if the public agency lies within a county but embraces less than the whole area thereof and consists in major part of territory within one or more cities, the legislative body (as commonly understood) of such city, if but one, or, if more than one, of the one of such cities having the greatest population.

For the purposes of this section population shall be determined by the latest Federal Census.

In the case of any public agency which has no defined area it shall be deemed for the purposes of this section to have an area coterminous with the State, if it is a state agency; with the county or city and county with respect to which it functions, if it is a county or city and county agency, or activated by action of the legislative body (as commonly understood) of a county or city and county; or with the city with respect to which it functions, if it is a city agency or activated by the legislative body (as so understood) of a city.

(c) Notwithstanding the provisions of subdivision (a) of this section in the case of any public agency which has already

established any public works for supplying any public service to the inhabitants of any area and thereby assumed the obligation to supply such service within such area, such public agency may issue under this act bonds for any extension or betterment of, or addition to, such existing works, without such vote, if the proceedings for issuing such bonds are so taken that the propsition of issuing such bonds is made subject to the right of the voters to invoke a referendum upon such proposition.

(d) If there is no procedure established by law or charter for invoking the right of referendum with respect to the action of the legislative body (as defined in this chapter) taken pursuant to subdivision (c) of this section, authorizing, subject to referendum, the issuance of revenue bonds, the provisions of law or charter relating to the exercising of the right of referendum with respect to the legislative acts of the appropriate legislative body, as specified in subdivision (b) of this section, shall apply to such action authorizing such bonds, as nearly as may be, but all of such provisions which relate to the qualifications of signers of a referendary petition, the number of signatures required, and the right to vote at the election held pursuant thereto, shall be determined on the basis of the qualified electors residing within the area of the public agency proposing to issue the bonds.

Article 2. Authority to Issue Revenue Bonds and Powers Incidental Thereto

54160 Subject to the provisions of this chapter, any public agency may borrow money to provide funds to pay the cost, or in the case of a joint undertaking, its share of the cost, of any such public improvements as in the opinion of the legislative body may be reasonably necessary for the welfare of the inhabitants of the area to be served thereby and may issue revenue bonds to evidence the indebtedness created by such borrowing. Such bonds may be issued in an amount estimated to be sufficient to pay, and for the purpose of paying, the cost of such public improvement, or such share of such cost, including the cost of preliminary reports, studies, preparations, plans and specifications, legal and engineering costs; the cost of the acquisition of any necessary rights of way, easements, lands and other property of every kind and descripition and appurtenance; interest on the bonds during, and for not to exceed two years after, the period of the construction of a public improvement, or in the case of bonds issued for the acquisition of a public improvement, until, and for not to exceed two years after, the completion of such acquisition; expenses of administration pertaining to the project prior to, during, and for not to exceed one year after, the period of such construction, or prior to, and for not to exceed one year after, the completion of such acquisition; and all other costs of the authorization, preparation, sale

and issuance of the bonds, or the carrying out of the undertaking, or incidental to any of such matters; and such cost may include such items which have already been paid out of other funds, to be reimbursed out of the proceeds of such bonds.

54161. Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, such public agencies jointly, or any board or commission established to administer or control such undertaking, may issue, subject and pursuant to the provisions of this chapter, revenue bonds to finance the same. Such bonds shall be deemed to be bonds of a public agency within the meaning of this chapter, and, to the extent necessary to give effect to this section, the words "public agency" and "public agencies" wherever used in this chapter, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that such public improvement must be approved by each public agency so joining or cooperating, and that the approval by vote of the electors when required by Section 54158 shall be the approving vote of a majority of the electors of each public agency so joining or cooperating, voting on the proposition, or in cases coming within the proviso of said section, the provisions as to referendum shall be such as to accord the right of referendum to the electors of each such public agency separately.

54162. Such revenue bonds may be issued for any public improvement or groups of public improvements. Each individual improvement or group of improvements, work or undertaking for which any issue of revenue bonds is proposed to be issued shall be designated as a "project" and is so referred to in this chapter.

54163. If in the opinion of the legislative body, it is advisable that any project be undertaken and financed through the issuance of revenue bonds pursuant to this chapter, it shall cause a report thereon to be made by any appropriate public agency officer or officers, or by independent experts employed for the purpose, which shall include:

(a) An estimate of the probable cost of the project, including all incidental expenses, engineering, legal and administrative;

(b) An estimate of probable sources of income and the amount thereof;

(c) An estimate of the cost of maintenance and for the operation upon completion, including the cost of all repairs, administrative and overhead charges.

The expense of the preparation of the report shall be a public charge and the legislative body shall make provision for the payment thereof out of any funds of the public agency available therefor.

54164. If the report is approved by the legislative body, it may adopt an ordinance or resolution declaring that the public interest and necessity demand the undertaking of the project,

the purpose, nature and extent of which shall be described in general terms, and authorizing such project. The adoption of such ordinance or resolution shall be conclusive evidence of the making and sufficiency of such report. Subject to the provisions of Section 54158, the legislative body may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds required for the project, in an amount determined in accordance with the provisions of Section 54160.

54165. The proceeds of the sale of any revenue bonds issued pursuant to this act shall be used only for the purposes for which such bonds are issued, except that any premium received on the sale thereof and any sums received as interest accrued to the date of the delivery thereof may be used for the payment of principal of and interest on such bonds.

54166. Wherever by the terms of this chapter the legislative body is empowered to authorize, or the public agency to enter into, any covenant or agreement to do or perform any act or thing, such legislative body and such public agency, respectively, shall have the power so to do and perform such act or thing.

54167. This chapter provides a procedure alternative to any procedure otherwise provided by law or charter for financing any project, and shall not operate to limit or control the power of the public agency to finance any project in any other manner authorized by law or charter.

Article 3. Issuance, Terms and Conditions of Revenue Bonds

54175. The public agency shall have power to issue revenue bonds in its name.

54176. The bonds of each issue shall constitute special obligations, and evidence a special indebtedness of the public agency, which shall be a charge upon, and payable, as to the principal thereof, interest thereon, and any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance. They shall not constitute general obligations of the public agency, and they shall neither constitute obligations, nor evidence any indebtedness, of any other public agency of which the public agency issuing the bonds may be a part, or of the State. All such bonds shall recite upon their face the substance of the preceding portions of this section, and shall also recite upon their face that they are issued under this chapter, which for that purpose may be designated by the short title provided for in Section 54150 of this chapter.

54177. In specifying the revenues and funds upon which such bonds are to be a charge and from which they are to be payable, there may be included:

(a) Revenue, as defined in Section 54156, whether to be derived from the project, or from public works previously exist-

ing, or from any future extension or betterment of, or addition to, any such public works;

(b) Contributions in aid of the project; and

(c) Funds from any source which the public agency may lawfully apply to the purpose, other than the proceeds of taxation.

54178. Nothing in this chapter, nor in the specification in the proceedings for the issuance of any bonds of the sources of payment thereof, shall preclude

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof;

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose;

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a public improvement on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds;

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the public agency issuing the same, in any case where such purchasers or entity may have guaranteed such payment; or

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the public agency may lawfully so apply.

54179. The legislative body shall have power to determine, by ordinance or resolution, or by indenture, contract or other agreement made with, or for the benefit of, the bondholders, with reference to each issue of bonds to be issued under this chapter, all the terms and conditions of such bonds, and of the sale and issuance thereof, and any and all matters necessary or appropriate to be determined in connection therewith, excepting only as such power is limited by, or under the authority of, express provisions of this chapter. Without excluding the exercising of any other powers under, or in any way limiting the generality of, the preceding general grant of power, or in any way excluding or limiting the exercising of any or all other powers granted by this chapter, the general power granted by this section shall include, and each such public agency shall have and in its discretion may exercise, the specific powers provided by this chapter.

54180. The legislative body may provide for the aggregate principal amount, date or dates, maturities, maximum interest rate, interest payment dates, denominations, and form of such bonds, and may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of

bonds, and for the transfer and interchange of such bonds, and for all other terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, or refunded. The legislative body may provide that any ordinance or ordinances, resolution or resolutions, adopted in connection with the authorization of any bonds shall constitute a contract with the holders of such bonds, not subject to repeal, and not subject to any modification other than to an extent and in a manner provided in any such ordinance or resolution. Reference on the face or the bonds to any such ordinance or resolution by the date of its adoption, or to any such indenture, contract or other agreement by the date of its execution, or the apparent date on the face thereof, is sufficient to incorporate all of the provisions thereof and of this chapter into the body of the bonds and their appurtenant coupons; provided, however, that with respect to such provisions of this chapter as invest the legislative body with discretion as to the inclusion or noninclusion in the proceedings for the issuance of the bonds of certain provisions, or as to the form thereof, such provisions of this chapter shall be deemed to be incorporated only to the extent to which the legislative body has exercised its discretion to include such provisions and in accordance with the form thereof adopted by the legislative body. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of any such ordinance or resolution, indenture, contract or other agreement and of this chapter, and is bound thereby, subject to the foregoing proviso with reference to the provisions of this chapter vesting the legislative body with discretion.

54181. The legislative body may provide for such covenants and agreements on the part of the public agency as the legislative body deems necessary or advisable for the better security of any bonds.

54182. The legislative body may provide for the making of a covenant requiring the public agency to continuously operate in an efficient and economical manner, any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54183. The legislative body may provide for the making of a covenant requiring the public agency to make all repairs, renewals and replacements necessary to the operation of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, and to keep any and all such facilities and property at all times in good repair.

54184. The legislative body may provide for the making of a covenant requiring the public agency to pay and discharge or cause to be paid and discharged from the funds available for that purpose all lawful claims for labor, materials and supplies or other charges which, if unpaid, might become a lien or charge

upon the revenues, or any part thereof, of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or upon any of the physical properties thereof which might impair the security of the bonds.

54185. The legislative body may provide for the making of a covenant which limits, restricts, or prohibits any right, power or privilege of the public agency to mortgage or otherwise encumber, sell, lease or dispose of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or to enter into any lease or agreement which might impair or impede the operation of such facilities or properties, or any part thereof, or which might otherwise impair or impede the rights of the holders of the bonds with respect to such revenues.

54186. The legislative body may provide for the making of a covenant requiring the fixing, prescribing, and collection, with respect to any or all facilities and properties, and revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of fees, tolls, rentals or other charges in connection with the services and facilities furnished from any of such properties operated by it, and the fixing, prescribing and collection of rentals or other charges for any such properties leased by it to others for operation, sufficient, with such other funds as may have been made available for and charged with such payment, to pay the principal of and interest on such bonds as they become due and payable, together with all expenses of operation, maintenance and repair of such facilities and properties, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such facilities and properties, and all other charges payable out of said revenues or funds, and requiring that all receipts from all or any such fees, tolls, rentals or other charges shall be deposited in a certain specified fund or in certain specified funds. If, under the law or charter applicable to the public agency, the power to fix and prescribe any such fees, tolls, rentals or other charges is vested in any other board or body, or is subject to approval by any other board or body, such other board or body may provide for the making of a covenant to the same effect as stated in this section, or a covenant to approve fees, tolls, rentals, or other charges fixed or prescribed by the legislative body which shall be sufficient for the purposes specified in this section.

54187. The legislative body may provide for the making of a covenant requiring the fixing and prescribing by the public agency and the collection by any lessee of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection

with the services and facilities furnished by such lessee, sufficient to assure the payment by such lessee to such public agency of the rentals or other charges so payable.

54188. The legislative body may provide for the making of a covenant requiring the establishment and maintenance of reserve funds, sinking funds or other special funds, in the treasury in which the funds of the public agency are deposited, or special trust accounts in a bank or trust company, to insure payment when due or payable, whether at maturity or upon redemption, of the principal of and interest on any bonds, including premiums if any due upon the redemption of any thereof, or to insure the application of the proceeds of such bonds to the purposes for which the same were issued, or requiring the establishment and maintenance of a reserve fund or trust account for any other appropriate purpose, or requiring that any money placed in any such reserve fund or trust account shall constitute a trust fund to be applied only to the purposes for which such reserve fund was created.

54189. The legislative body may provide for the making of a covenant requiring the public agency to apply the proceeds of the bonds in connection with which such covenant is made, or any part thereof, to the acquisition or construction of a specified facility, or other specified purpose.

54190. The legislative body may provide for the making of a covenant restricting the incurring of additional indebtedness payable in whole or in part out of revenues or funds which are charged with the payment of any bonds in connection with which such covenant is made.

54191. The legislative body may provide for the making of a covenant requiring the public agency to carry insurance on any facilities or properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or any operations incident thereto, specifying or limiting the kind, amount and character of such insurance and providing for the use and disposition of the proceeds of any such insurance thereafter collected.

54192. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the establishment by it of any competitive project while any bonds of the issue in connection with such convenant is made are outstanding.

54193. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the rendering or furnishing of service or facilities free of charge, or at less than the regular established charges therefor, by or from any facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54194. The legislative body may provide for the terms and conditions upon which any bonds may become or be declared due

and payable prior to maturity, upon the happening of any specified event of default, and the terms and conditions upon which such declaration and its consequences may be waived.

54195. The legislative body may provide for the rights, limitations, powers and duties arising upon breach by the public body of any of the covenants, conditions or obligations contained in any ordinance, resolution, indenture, contract or agreement.

54196. The legislative body may provide for a procedure by which certain specified terms and conditions of any ordinance or resolution, indenture, contract or agreement may be subsequently amended or modified, or any provision thereof waived, with the consent of the legislative body and the vote or written assent of the holders of a specified principal amount of the bonds issued and outstanding, Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given. Such provision shall specifically state the effect of such amendment, modification or waiver upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom. The provisions for such procedure may include an agreement that bonds held by the public agency, or by any other person or entity who or which the legislative body may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto.

54197. The legislative body may provide for such other acts and matters as it may deem to be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

54198. The legislative body may designate a bank or trust company as a trustee for the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

54199. The legislative body may fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all funds coming into its hands pursuant to any ordinance or resolution, indenture, contract or agreement. The legislative body may prescribe the duties and powers of such trustee with respect to the payment of principal and interest on bonds, the redemption of bonds, the registration and discharge from registration of bonds, and the management of any sinking fund or other fund provided as security for bonds, and with respect to any other appropriate matter.

54200. The legislative body may provide for the issuance of bonds in series, and for the division of any issue into two or more divisions, and may fix different maturities or dates of

1 such bonds, different rates of interest, or prescribe different
2 terms and conditions for the bonds of the several series or divi-
3 sions. It is not necessary that all bonds of the same authorized
4 issue be of the same kind or character, have the same security, or
5 bear the same interest rate, but the terms thereof shall in each
6 case be provided for by the legislative body. After the authori-
7 zation or issuance of bonds, the legislative body may, from
8 time to time thereafter, authorize the issuance of other bonds,
9 subject to any covenants it may have made restricting the future
10 issuance of bonds.
11 54201. Bonds may be callable, at the option of the public
12 agency, upon such terms and conditions, and upon such notice
13 as the legislative body may determine, and upon the payment
14 of the premium, if any, fixed by the legislative body in the pro-
15 ceedings for the issuance of the bonds. No bond shall be subject
16 to call or redemption prior to its fixed maturity date unless the
17 right to exercise such call is expressly stated on the face of the
18 bond.
19 54202. The legislative body may provide for the prin-
20 cipal and interest of bonds being payable in any specified coin
21 or currency of the United States and at any place within the
22 State of California, or for such principal and interest being pay-
23 able or collectible at any place without the State of California.
24 54203. All of the signatures on said bonds and on the
25 interest coupons thereof may be printed, lithographed or en-
26 graved facsimile, except that on the bonds, but not on the inter-
27 est coupons, the countersignature of the clerk or other officer
28 or representative of the public agency designated by the legis-
29 lative body shall be manually affixed. If any of the officers or
30 representatives whose signatures or countersignatures appear
31 upon the bonds or coupons cease to be officers or representatives
32 before the delivery of the bonds or coupons, their signatures or
33 countersignatures are nevertheless valid and of the same force
34 and effect as if the officers or representatives had continued to
35 hold their respective offices or positions until the delivery of the
36 bonds and coupons.
37 54204. Payments of any serial bonds, and payments into
38 the sinking fund for any sinking fund bonds, may be deferred,
39 but the first maturity of any such serial bonds, and the first
40 payment into the sinking fund for any such sinking fund bonds,
41 shall be no later than five (5) years from the date of the bonds,
42 and no bond, whether serial or sinking fund, shall mature more
43 than forty (40) years from its date. In the event any author-
44 ized issue is divided into two or more series or divisions, the
45 periods specified in this section shall be calculated from the date
46 on the face of each bond separately, irrespective of the fact that
47 different dates may be prescribed for the bonds of each separate
48 series or division of any authorized issue.
49 54205. No bonds shall be sold except at public sale, after
50 advertising for proposals and to the bidder whose bid will result
51 in the lowest net interest cost, determined in a manner specified

in the notice of such sale; provided, however, that such advertising and public sale shall not be necessary, first, if the bonds are sold to the United States, or any agency thereof, or to the State of California, or any agency thereof; second, if upon advertising for proposals for the purchase thereof, no satisfactory proposal is received, or third, if the legislative body shall determine, by ordinance or resolution, that by reason of war, disaster, conditions affecting the public health, or other reason of extreme urgency, it is in the public interest to sell any such bonds without advertising or public sale. If the legislative body shall adopt any such ordinance or resolution, the reasons for its determination shall be fully and clearly stated therein. Bonds may be sold at less than their par or face value but no bond may be sold at price which would result in a yield to the purchaser of an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values.

54206. The legislative body may provide for the issuance and delivery, pending the actual issuance or delivery of definitive bonds, of temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

54207. The legislative body may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the public agency. All provisions of this act applicable to revenue bonds and to the issuance and sale thereof, other than the provisions of Sections 54158, 54163 and 54164, are applicable to refunding bonds and to the issuance and sale thereof; provided, however, that the legislative body may provide that in lieu of the sale of such refunding bonds they, or any part thereof, may be exchanged for bonds to be refunded thereby, upon such terms and conditions as it may deem proper.

54208. Refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

54209. All bonds issued under the provisions of this act are negotiable instruments.

54210. Prior to the issuance of any bonds, the public agency, on authorization by the legislative body, may commence a special proceeding to determine the right to issue the bonds and their validity in the superior court of the county in which the public agency is located, or, if the public agency is a state agency, in any county in which such agency maintains an office. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22674, inclusive, and 22676 to 22684, inclusive, of the Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to and govern all such proceedings instituted under this act; provided, however, that in so applying said provisions, all references to a district shall be understood as references to the public agency; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against all entities whatsoever, public or private, including the public agency and the State of California.

54211. Whenever the legislative body deems that it will increase the salability or price of the bonds to obtain a legal opinion, other than or in addition to that of the regular legal adviser of the public agency, it may obtain such legal opinion.

Article 4. Duty to Perform Covenants

54220. It shall be the duty of the public agency fully and faithfully to keep and perform any covenant it may make pursuant to Section 54186 with or for the benefit of the holders of the bonds with respect to the fixing and maintaining of fees, tolls, rentals or other charges, and each and every other covenant it may make, or obligation it may assume, pursuant to any provision of this chapter, and it shall be the duty of each and every officer, representative and employee of the public agency to do and perform each and every act necessary or appropriate for such keeping and performance by such public agency of every such covenant and obligation.

Article 5. Rights of Bondholders

54230 The holder of any bond issued pursuant to this chapter may by mandamus or other appropriate proceeding, require and compel the performance of any of the duties imposed upon the public agency, the legislative body or the officers, agents, or employees of the public agency, by this chapter, in all cases where the failure to perform such duty might impair

the rights of such bondholder or the security of any bond or bonds held by him. This shall not exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this chapter.

54231. While any revenue bonds issued by the public agency under this chapter remain outstanding, its powers and duties, and the powers and duties of the legislative body, shall not be diminished or impaired in any manner that will adversely affect the interest and rights of the holders of such bonds. This shall not preclude any reorganization or change of the public agency, by consolidation, change of the boundaries, or otherwise, or any modification, change or transfer of the powers and duties of the legislative body, or any transfer of physical properties; provided, however, that such act or matter is done, arranged and carried into effect in such manner as to preserve all the substantial rights and benefits to which the holders of such bonds are entitled.

Article 6. Contributions and Cooperation

54240. The legislative body may accept contributions or appropriations from the United States, the State, or any public agency of this State, or from any other source.

54241. The legislative body may authorize the making by the public agency of any contract, arrangement, or agreement with the State or any public agency, to join or cooperate with such state or public agency for the establishment, development, maintenance, operation, or use of any project or the services or facilities thereof financed in whole or in part through the issuance of revenue bonds, and the public agency may so join or cooperate.

54242. The public agency, when authorized by the legislative body, may cooperate and contract with the United States under the War Mobilization and Reconversion Act of 1944, approved October 3, 1944, and any acts amendatory thereof or supplemental thereto, or under any other act of Congress heretofore or hereafter enacted, authorizing or permitting such cooperation.

Article 7. Funds

54250. The proceeds from each sale of bonds authorized under this chapter, other than any sums received as premium or accrued interest, shall be deposited in the treasury in which funds of the public agency are kept, to the credit of a fund, which the legislative body shall establish therein, and which shall be designated by an appropriate name, to insure the application of such proceeds to the purposes for which the bonds were issued; provided, however, that where successive sales are made of bonds of a public agency, and the same are issued for the same identical purpose, such proceeds of more than one sale may be deposited in such treasury to the credit of the same

fund. The provisions of this section shall be subject to the provisions of this article with respect to the establishment of other reserve funds and trust accounts.

54251. The proceeds from each sale of bonds authorized under this chapter received as premium or accrued interest, shall be deposited in such treasury to the credit of the fund out of which payments on the principal of and interest on such bonds are to be made, whether such fund shall be a fund already established or a reserve fund established pursuant to Section 54252, and shall be applied only to the payment of such principal and interest.

54252. The legislative body may from time to time establish one or more reserve funds in the said treasury, for any of the purposes specified in this section. Any such fund may be so established as a sinking fund, or otherwise, to insure the payment, when due and payable, of the interest on any such bonds, the principal thereof, whether upon maturity or redemption prior to maturity, and premiums upon the redemption thereof prior to maturity, or for any of said purposes, or for any other purpose related to the expenditure of the proceeds of such bonds, the security of the bondholders or the payment of such bonds.

54253. If, under the law or charter applicable to the public agency, the power to establish funds in said treasury is not vested in the legislative body, then the officer or board having power to establish such funds, shall establish any fund provided for in this article, upon the request of the legislative body.

54254. The money in any fund provided for in this article, other than any previously established fund referred to in Section 54251, shall be kept separate and apart from all other funds in the treasury, and, subject to all provisions of this article, shall be paid out and disbursed on the order of the legislative body in the same manner that other funds of the public agency are paid out and disbursed. Bonds, and coupons pertaining thereto, duly issued pursuant to this chapter shall be deemed to be orders of the legislative body, within the meaning of this section, and shall be payable upon presentation, when due, without further order or approval, subject only to the terms of the registration of such bonds, if registered.

54255. In lieu of or in addition to the establishment of any fund by or at the request of the legislative body pursuant to this article, the legislative body may provide for the establishment of a trust account with a responsible bank or trust company for any of the purposes for which any such fund could be established.

54256. Money so deposited in any fund or special trust account established pursuant to this article shall remain therein until from time to time expended for the purposes for which said fund or trust account was created, and shall not be used for any other purpose whatsoever, but may be invested as hereinafter in this article provided; and provided

(a) that money may be paid or transferred from any such fund or account in furtherance of its establishment to any other such fund or account established for a like purpose in connection with the same bonds to such extent as may be required or permitted under the terms of the issuance thereof; and

(b) that any surplus money remaining in any such fund or trust account after the full accomplishment of the purposes for which such fund or trust account was established, or which is in excess of the full amount required to accomplish all such purposes, may be applied to the payment of principal, interest or premiums on redemption of such bonds, if any thereof remain unpaid, or to capital costs or expenses incident to any facilities or properties the revenues of which were charged with the payment of the bonds, or, if it cannot be so applied, then to any purpose to which the legislative body may direct that it be applied, subject, however, to any covenant which may have been made in connection with the issuance of such bonds.

54257. If, under the law or charter under which the public agency exists, provision is made for the establishment of funds or trust accounts to accomplish substantially the same purposes as provided for in this article, such funds or trust accounts may be established pursuant to such law or charter instead of pursuant to this article.

54258. Pending use for the purposes for which any reserve fund or special trust account established pursuant to this article was so established, money deposited therein may be invested when and to such extent and in such manner as may be directed by the legislative body and as may be consistent with any covenant made upon the issuance of the bonds in connection with which such fund or account was created. Such investment shall be in bonds and other obligations eligible for investment of surplus funds of the public agency, or eligible for investment of surplus county money. If, under the law or charter under which the public agency exists, the power to direct the investment of surplus money is not vested in the legislative body, then the direction provided for in this section shall be the direction of such board or officer as is vested with such power. Any income, interest or increment resulting from such investment shall be added to and become a part of the fund or trust account out of which such investment was made.

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LESTER A. McMILLAN
LAUGHLIN E. WATERS

REPORT OF COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON LEGISLATIVE REPRESENTATION, June 14, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chambers, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statments and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

The names of persons who have filed as legislative advocates but do not appear on the list have been withheld by your committee because of technical defects in the application for further information or for further consideration by your committee.

All registrants whose names have been withheld will be notified and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

WILLIAM H. ROSENTHAL
H. ALLEN SMITH
FRANK P. BELOTTI
BERNARD R. BRADY
RICHARD J. DOLWIG, Chairman

LIST NO. 5
APPLICATIONS APPROVED AS OF JUNE 13, 1951

Adams, Ray S., 541 S. Spring St., Los Angeles
California Tavern Association

Archer, Allen T., 621 S. Spring St., Los Angeles
Insurance Brokers Society of Southern California

Arnstein, Lawrence, 45—42d St., San Francisco
San Francisco Social Hygiene and Health Association

Barrett, Arthur J., Jr., 505 Balfour Bldg., San Francisco
California State Fraternal Congress

Bugental, James F. T., University of California. Department of Psychology, Los Angeles
Institute for Individual Psychology, Inc.
Alfred Adler Society of Los Angeles
University of California Department of Psychology
Analytical Psychology Club of Los Angeles
Clinical Psychologists in Private Practice
California State Psychological Association

Darwin, Jay A., 812 Foxcroft Bldg., San Francisco
CIO-California Industrial Union Council

Down, David M., San Jose State College, San Jose
Associated Students, San Jose State College

Fisher, Robert, 451 North Hill St., Los Angeles
Personnel Commission

Gjerke, Marguerite, P. O. Box 585, San Mateo
California Practical and Undergraduate Nurses Association, Inc.

Gretz, Louis A , 656 Atlantic Blvd.
California League of Unincorporated Communities

Hall, R. J., 500 Russ Bldg., San Francisco
Society of Insurance Brokers
Surplus Line Association of California

Hansen, Frank O., 430 Colino St., Los Angeles 13
California Waste and Wiper Co.

Hart, Percival G., 354 S. Spring St., Los Angeles 13
Community Redevelopment Agency of the City of Los Angeles

Humphreys, John R., 108 N. California St., Stockton
California Council of Business Schools

Kanagy, Albert S., 2270 Bullard Ave., Los Angeles 32
Order of Repeatermen and Toll Testboardmen

Katz, Robert, San Francisco State College
Associated Students, San Francisco State College

Keller, William D., P. O. Box 752, Lancaster
California League of Unincorporated Communities, Inc.

Kushida, Tatsuo, 258 E First St., Los Angeles
Japanese American Citizens League Anti-Discrimination Committee

Lala, Theodore A., 3511 W. Sixth St., Los Angeles
Administrative Classified Service Association

Lockwood, Henry, 417 S. Hill St., Los Angeles 13
Mount San Jacinto Winter Park Authority

Loheit, Robert, 3716 J St., Sacramento
Associated Master Barbers & Beauticians of California

Lynch, John Knox, 821 Market St., San Francisco
LaSalle Extension University

Margolis, Harry, 345 Franklin St., San Francisco
Northern California Beer Distributors Association
Southern California Beer Distributors Association

Minard, Claude, 155 Sansome St., San Francisco
California Railroad Association

Murphy, Kate Pursell, 503 Franklin St., San Francisco
Practical and Undergraduate Nurses' Association, Inc.

Nickel, George D., 1300 Ramona Road, Arcadia
BMC Corporation

Painter, John H., 220 Bush St , San Francisco 4
Associated Farmers of California, Inc.

Parmer, Dave, 328 Maple St., San Diego 3
Complete Service Bureau

Person, Harry R., 911 Hall of Justice, Los Angeles
Association of Official Court Reporters of Los Angeles County

Rosendahl, Edwin M., 756 S. Broadway, Los Angeles 14
Vita Pharmacals, Inc.

Ryan, Donna L., 217 W. Eigth St., National City
California Practical and Undergraduate Nurses' Association, Inc.

Slater, Mildred D., 230 Fairfield Road, North Sacramento
California Practical and Undergraduate Nurses' Association, Inc.

Spolyar, Ludwig J., San Jose State College, San Jose
Associated Students, San Jose State College

Swanson, Carl A., Route 2, Box 635, Turlock
Milk Producers Association of Central California

Tucker, George P., 1290 Sutter St., San Francisco
California Association of Private Schools

Waldo, Cornelius T., 7106 Foothill Blvd., Tujunga
Cities of Orange County

Wilkins, Philip C., 537 Forum Bldg., Sacramento
Bekins Van Lines, Inc.
Lyon Van Lines, Inc.
Calmay Van Lines, Inc.
James Van Lines, Inc.

Williamson, Pauline E., 4257 40th St., San Diego
California Practical and Undergraduate Nurses' Association, Inc.

Wright, Malvern A., 170 Valencia St., San Francisco
California State Fraternal Congress

REPORT OF SUBCOMMITTEE OF WAYS AND MEANS INTERIM COMMITTEE ON ADULT EDUCATION

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON WAYS AND MEANS, June 18, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol

DEAR MR. COLLINS: I am handing you herewith Report of the Subcommittee of the Ways and Means Interim Committee on Adult Education. I will ask that this report be printed in the Journal as a supplement to the report of the interim committee.

Very truly yours,

MARVIN SHERWIN
Chairman, Ways and Means

Report of Subcommittee on Adult Education

June 14, 1951

On February 5, 1951, Messrs. Kirkwood, Lowrey, and Hinckley were named as a subcommittee to check on the budget request of the Bureau of Adult Education (page 208 of the Budget), and also to report on the subvention which is granted to school districts on account of the attendance in adult education classes (page 1058 of the Budget). It was felt that the Ways and Means Committee should be informed concerning the reason for the rapid expansion of state support for adult education. (The Budget indicates an increase in classes for adults from 55,321 for the year 1949-1950 to a projected 71,350 for 1951-52, or an increase of close to 30 percent in two years.)

The subcommittee has been assisted in its inquiries by Alan Post, the Legislative Auditor, and his staff, particularly George Clucas and William Young. A questionnaire was worked out in cooperation with the Legislative Auditor's office and mailed to each district which conducts adult education programs. This questionnaire was designed to develop material concerning the nature of the program, the procedures used in the selection of courses, accounting practices followed, practices concerning the recording of attendance, and other related material. A copy of the questionnaire, together with a digest of the material obtained, is attached to this report. Two or three meetings were held by the subcommittee to discuss this material and other information collected by Mr. Young. Subsequently, two meetings were held with representatives of the Department of Education to discuss further their policies concerning the program of adult education. Both of these meetings were attended by Roy Simpson and George Mann, the Chief of the Bureau of Adult Education, and by various other members of the staff of the department.

RECOMMENDATIONS

The subcommittee recommends:

(1) That there should be a continuing study of the program of adult education by a legislative committee during the period between the adjournment of this session of the Legislature and the next session. This study should include a study of the nature of a proper program of adult education, the best method of financing the program, and methods of maintaining proper accounts and audits of expenditures.

(2) That the State Department of Education be requested to prepare and submit to the Ways and Means Committee prior to the adjournment of this session regulations incorporating the proposals made by Mr. Mann to the subcommittee in his letter dated May 2, 1951, which is attached, showing the extent to which such regulations have been put into effect.

(3) That the Ways and Means Committee request and authorize the members of this subcommittee to appear at the next meeting of the State Board of Education to urge upon that board the consideration and adoption of regulations which will more clearly define the scope of the adult education program, and which will guarantee to all districts providing adult classes basic equality in the receipt of state subventions.

(4) That the interim committee be requested in cooperation with the State Board of Education and the Department of Education to develop statutes for introduction at the next session of the Legislaure which will divorce state support of the adult education program from state support of the other parts of the educational program, and which will provide equitable allocation of state funds.

FINDINGS

The study of the subcommittee was of necessity cursory and its findings are inconclusive. It is readily apparent, however, that from a fiscal standpoint there are insufficient controls over the program. It should be noted that once attendance at an adult program is recognized, the Legislature is bound under the Constitution to set aside $120 for each unit of average daily attendance. Where this practice is followed, certainly the purposes of the program should be clearly defined and the supervision should be such that the equity of the allocation of state funds is clearly established. Even a cursory examination of this program discloses an appalling lack of adequate accounting procedures. For this and other reasons, a proper audit of the expenditure of state funds has so far been impossible.

Our contacts with the department indicate that the limits on the program have not been clearly established, but that they depend on the one hand upon pressures brought by local groups for expansion, and on the other by pressures brought by legislative suggestion for contraction. The subcommittee believes that the Department of Education should be able to define and defend the exact limits and fundamental philosophy of the program which it proposes to support. It would appear that this the department cannot do.

The subcommittee believes in the program of adult education and believes in a pattern of state support similar to that which exists for other parts of our educational program. It suggests that the Legislature should be afforded the opportunity of working with the Department to formulate a sound basis for the development of such a program.

ROBERT KIRKWOOD
STEWART HINCKLEY
LLOYD W. LOWREY

RESULTS OF A QUESTIONNAIRE SURVEY ON ADULT EDUCATION

June 14, 1951

The Subcommittee on Adult Education of the Assembly Ways and Means Committee desiring to secure an over-all view of the adult education program in California, constructed, with the assistance of the Staff of the Legislative Auditor, a questionnaire which was mailed to 138 evening high schools in the State. The questionnaire was designed to obtain information on the program being offered throughout the State, the cost of the program, how it is financed, the general administrative practices employed in carrying out the program and the types of special groups for which adult classes are organized.

The questionnaire was sent to the evening high schools rather than to all high schools having adult classes because most of the adult classes are conducted in organized evening high schools.

Returns were received for 132 out of the 138 questionnaires mailed out. However, in tabulating the answers only 126 returns, or 91 percent are useable because some districts did not report each school separately. In some cases a questionnaire was answered incompletely, thus the tabulation on some questions will show fewer than 126 schools reporting

There were 56,230 units of average daily attendance for all adult classes in California in the 1949-50 school year. The 126 evening high schools reporting represent 48,515 units of average daily attendance, or 86 percent of all adult A.D.A. in the State.

The Program of Adult Education

Adult education in California represents a significant part of public education in California, according to the answers received to the questionnaire. For the 126 evening high schools reporting, 16 percent of the total average daily attendance in the districts wherein these evening high schools are located is adult A.D A. In terms of the 91 school districts maintaining these 126 evening high schools, there were 25 districts in which the percent of adult A D.A. to the total A.D.A. in the district was 21 percent or more. The range was from 1 percent to 76 percent.

Another way of characterizing the adult education program is in terms of the percent taking courses for credit. For the school year of 1949-50 approximately 5 percent of the persons enrolled in 117 evening high schools were taking at least one course for credit.

The emphasis of the adult program in terms of courses offered at 110 evening high schools is shown in Table I. It will be noted that 28 percent of courses offered are in the areas of arts, crafts, and music, and 26 percent are vocational courses. Courses in general education comprise 14 percent of all classes offered and home-making courses represent 10 percent of the total.

Cost of Adult Education

The total cost of adult education in 1949-50 in 126 evening high schools reporting was approximately $9,500,000. The state aid to local districts at the rate of $120 per A.D.A. amounted to $5,800,000 in the school year 1949-50. Approximately 60 percent of the cost of adult education in these 126 evening high schools was financed from state aid.

A detailed analysis of the reported cost of adult education in terms of one unit of A.D.A. revealed that for the 126 schools reporting, the combined state and district cost per A.D.A. is $208.90. There were 43 evening high schools which reported a cost per A.D A. greater than $208.90, and 83 which reported a cost per A.D.A. of $208.90, or less.

Table I
Courses Offered in One Semester * for 110 Evening High Schools Classified by General Subject Matter 1950-51

Courses Offered, by Subject Matter	*Number of Classes Offered*	*Percent of Total*
Total	7,533	100
Arts, Crafts, Music	2,095	27.8
Civil Defense	2.095	0.5
General Education	1,081	14.4
Health	463	6.1
Homemaking	782	10.4
Literacy & Citizenship	399	5.3
Physical Education	559	7.4
Vocational	1,963	26.1
Miscellaneous	153	2.0

* Or Quarter.

Financing

In contrast to these figures on cost per A. D A. the study showed that 78 out of the 126 schools received $120 or more in *state* aid per A. D. A. with a range up to $205 per A. D. A.

Another way of expressing the state contribution to the total cost of adult education classes is in terms of the percentage of state aid received to total cost. The answers to the questionnaires revealed that 78 out of 126 evening schools received more than 60 percent of their reported cost of adult education from the State. Forty-four evening high schools received 80 percent or more of the total cost of adult classes from state money.

Administrative Practices

A brief analysis of the amounts allocated or spent for the various classifications of expenditure for accounting purposes revealed considerable variation among the schools for a given expenditure class. It was evident that some schools made more detailed expenditure allocations by classification than other schools. The over-all analysis of expenditures revealed the following percentage expenditure breakdown for the 1949-50 school year.

Cost by Classification of Expenditure	*Percentage of total Reported Cost*
Total	100
Administration	5.6
Instruction	
Salaries	64.6
Other	10.7
Operation of School Plant	7.4
Maintenance	2.5
Fixed Charges	5.9
Capital Outlay	1.4
Other	1.9

It was very difficult to ascertain the specific administrative practices employed by the evening high schools in administering their programs. There was no attempt to determine the effectiveness of the practices but only to establish the practices general to most evening schools.

The questionnaire inquired into four general administrative areas which revealed the following results:

1. Procedure Followed in Developing Curriculum. The survey showed that all the evening high schools sampled used one or more of the following methods in developing their adult education curriculum.

a. Follow the Education Code and the Administrative Code.
b. Analyze the previous year's program.
c. Hold conferences with advisory committees consisting of business, industrial, professional, labor and civic organizations.

To enlarge the examination of curriculum development the schools were asked what criteria govern the formation of curriculum; there were 10 general points mentioned although there was wide variation in replies. Four criteria were mentioned by 32 out of 126 or more schools and are listed below in order of most frequent mention.

a. To meet community needs.
b. To maintain a well balanced program.
c. To meet current demand.
d. Previous demand and attendance.

2. New Classes. When a new class is offered which has never been offered before, the basis for starting the new class is whether there is a need for it. Just as in the formation of the over-all curriculum, need is the major factor, as interpreted by school officials and advisory groups guided by the desire to improve the curriculum and by administrative limitations.

3. Recording Average Daily Attendance in the Classroom. The information obtained showed that there are two general ways of recording attendance in the classroom.

a. An attendance book or sheet may be used. In some cases the student initials or signs the sheet each period or the teacher marks the presence or absence of each individual.

b. Attendance is kept by a count of the number of students present without regard to specific pupils.

4. Checking Instructor Attendance Reports. The schools reported two ways of verifying the attendance reports turned in by the instructors.

a. In some cases the principal or another administrative officer visits the classrooms to check the actual attendance This is a form of spot check.

b. Schools using a sign-in sheet check the pupils initialed on the sign-in sheet against the attendance reported by the instructor. The sign-in sheet may also be used to check to see that those who sign-in are officially enrolled.

Special Groups

A trend in adult education that appears to be becoming significant is expansion of adult classes to serve groups that either cannot attend regular adult classes or because of the nature of the group can secure special classes exclusively for the group. The survey attempted to learn

the extent of these special classes and the types of groups for which these classes are organized.

The questionnaires revealed that 48 out of 126 evening high schools offered classes to one or more special groups in the school year of 1949-50. These 48 adult schools served a total of 61 special groups which consisted of five major types: Business and industry, hospitals, correctional institutions, military and governments sponsored groups.

In terms of units of average daily attendance, 9.8 percent of all A.D.A. reported by the 126 evening high schools was for special group adult classes. Adult classes in correctional institutions made up 64 percent of the 9.8 percent total A.D.A. of special groups. The next most important group was hospitals consisting of public and private hospitals, with 23 percent of the total A.D.A. of special groups. Classes held at military installations made up 11 percent of all such A.D.A.

Questionnaire for the Assembly Ways and Means Subcommittee on Adult Education

County_____Date_____

School District_____ School_____

(Note: Use back of pages where additional space is needed.)

1. How many adults were enrolled in the following categories where applicable to your school for the periods specified? (Please report figures submitted to the Department of Education on Form No. R-30.)

Type of School	*Oct. 31, 1949*	*Oct. 31, 1950*
Evening High School		
Evening Junior College		

2. How many adults were enrolled for credit courses and how many for noncredit courses in your school for the 1949-50 school year? (If a pupil was enrolled for at least one credit course, list him under Credit.)

	1949-50	
Type of School	*Credit*	*Noncredit*
Evening High School		
Evening Junior College		

3. (a) List the special groups for which adult classes are conducted at other than regular school facilities (e.g. military bases, prisons, hospitals, industries, etc.) and
   (b) Give the enrollment and A.D.A. at each location for the 1949-50 school year:

		1949-50		*Major Objectives*
Special Group	*Place of Instruction*	*Enrollment*	*A.D.A.*	*of Classes*

4. Please attach your announcement of all classes offered to adults for the second semester of winter quarter of the 1949-50 and 1950-51 school years.
5. What criteria govern the formation of the curriculum to be offered at the outset of the new school year?

6. What is the basis on which a class will be organized which has never been offered before?

7. A. How many teachers taught in the adult education program for 1949-50 in the:
   Evening High School____ Evening Junior College____
   B. Of the total number of teachers in your school teaching in the Evening High School or Evening Junior College adult classes for 1949-50, how many are:
      (1) Full-time teachers in adult education:
      Evening High School____ Evening Junior College____
      (2) Teachers who teach both in adult education and in the regular secondary education programs:
      Evening High School____ Evening Junior College____
      (3) Part-time teachers in adult education only (e.g those whose principal occupation is other than public school teaching as an accountant or engineer):
      Evening High School____ Evening Junior College____

8. Please list the types of credentials held by your teachers in adult education:

9. What is the basis (e.g., hourly, daily, monthly, or annual) for compensating instructors of adult classes in the categories listed in Question 7, and what are the pay ranges:
   A. Full-time teachers in adult education _____
   B. Adult and regular school teachers _____
   C. Part-time in adult education _____

10. A. What is the total cost of your adult education program for the school year 1949-50?
    B. How much of the total cost is spent on the following: (Classifications of expenditures are taken from the California School Accounting Manual, Parts I-IV, Vol. XIII, No. 2, June 1944, pp. 5-7)
       (1) Administration _____ _____
       (2) Instruction _____ _____
          (2a) Teachers' Salaries _____ _____
          (2b) Other Expenses of Instruction _____ _____
       (3) Operation of School Plant _____ _____
       (4) Maintenance of School Plant _____ _____
       (5) Fixed Charges
          (5a) Interest on Current Liabilities _____ _____
          (5b) Other fixed charges _____ _____
       (6) Capital Outlay _____ _____
       (7) Other _____ _____

11. A. Explain the nature of state consultant services and the ways through which they are rendered to your school.

11. B. Are any consultant services made available from the office of the county or city superintendent of schools?

12. What courses were offered in your adult program in the school year of 1949-50 which by means of special speakers or other special features were aimed at attracting a wider public attendance than is usually attracted by regular classes?

13. What is the minimum attendance required for the continuance of a class?

14. What activities were supported or organized by the adult program which are in addition to the classes approved for A.D.A. in 1949-50?

15. Describe briefly the system of checking employed by the school district to authenticate the accuracy of the attendance for A.D.A. reported by teachers and schools having adult classes.

State of California
DEPARTMENT OF EDUCATION
Division of Instruction
Bureau of Adult Education
311 State Building, Civic Center
Los Angeles 12, California

May 2, 1951

The Honorable Robert C. Kirkwood
Member of Assembly
Sacramento, California

DEAR MR. KIRKWOOD: I had hoped to talk briefly with you when I was in Sacramento last week but I found that you were unavailable that

day. I had realized that we did not get down to the heart of the problem when we had the brief meeting with your committee on April 10. I had not known that I was to be at the meeting and had not had time to study the items on the agenda.

For some time I have been working on the development of some new regulations and policies which should tend to eliminate the abuses which have been found to exist in the adult education program and which should otherwise strengthen the program by increasing the emphasis on that part of the curricula which most objective people appear to consider essential.

The regulations and policies that have been worked out and which will be presented to the State Board of Education as soon as they have been put into the proper form for inclusion in the Administrative Code, Title 5, relate to the following: The elimination of classes held at regular meetings of organizations such as toastmaster and toastmistress clubs; the elimination of programs which continue beyond the point of learning and the consequent elimination of "repeaters;" the definition of activities which must meet limitations on attendance; the reduction of maximum attendance in lecture series; the elimination of unrelated film presentation; the elimination of all but strictly nonmilitary courses in military establishments; the elimination of all physical education classes in correctional institutions for adults; the elimination of the counting of attendance of all persons not "regularly enrolled" in a well defined procedure; the definition and enforcement of rules on summer programs so that the great majority of such programs will be eliminated; and the elimination of all programs which have become leisure time or recreational practices.

With these additional proposed policies and regulations and others which are being formulated, and with a staff that would permit reasonable coverage of the State, the entire adult education program would be improved in quality and enrollment would be reduced by 10 percent.

I have made a careful estimate of the effect these new policies and regulations would have on present enrollment. With some additional assistance in the Bureau of Adult Education to insure proper interpretation of these and existing laws, rules and regulations, I feel that we could guarantee a reduction of at least 10 percent in enrollment and cost.

I hope that soon I may have an opportunity to discuss this whole matter in such detail as you would like to have.

Very truly yours,

(Signed) GEORGE MANN
Chief of Bureau

269:113

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Randal F. Dickey of Alameda, and Mrs. William H. Holloman and daughter, Cheryl, of Walnut Creek.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jerry Simunovich of Hollister.

On request of Messrs. Dunn and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Thorne of Washington, D. C.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Commander Hamilton B. Joslin, U. S. Navy, Clinton Hutchins of Camarillo, and John Neuman of Ventura.

On request of Messrs. Munnell, Rosenthal, and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Stephen Kulchin of Los Angeles.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Bernard R. Carman, Clayton B. Elm, and James Simms of San Diego.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Louis Wertz, Member, House of Representatives, of Center, Colorado.

On request of Mrs. Niehouse and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Bayard Rhone, C. F. Battison, and F. D. Wolfrom, leaders; and the following members of the Wilshire Y.M.C.A. of Los Angeles: Larry Winters, Kent Myers, Jackie Wilson, Dick Savage, John Chevarolloti, Dick Bernd, Bob Harmon, Richard Christy, Keith Northrup, Dennis Warn, Dick Rhone, Vincent Papia, Wayne Fawcett, Richard Park.

On request of Mr. Caldecott and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Risshell, Jack Hassler, and T. Caldecott of Oakland.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Joe Ferrando of Redwood City, Ed Turturci of San Mateo, and Gust Molakidis of Burlingame.

ADJOURNMENT

At 11.34 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, June 19, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 19, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Colbert, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Who Art the Source of All Our Being, And the Goal of our best endeavor, who art above and beyond us, yet who dost manifest Thyself within us, grant us Thy wisdom for the choices that lie before us. Thou art kind to Thy children in the lifting of the curtains of life day by day, so that we may walk with Thee in faith and not by sight. Hasten the day when faith shall blaze a pathway of brotherhood among the nations of the world. Thou art indeed the same yesterday, today and forever.

"God moves in a mysterious way
His wonders to perform;
He plants His footsteps in the sea,
And rides upon the storm.
Deep in unfathomable mines
Of never failing skill
He treasures up His bright designs,
And works His sovereign will."

We pray in Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lincoln, on motion of Mr. Rumford.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 15
Assembly Bill No. 193
Assembly Bill No 1226
Assembly Bill No. 1501
Assembly Bill No. 1631
Assembly Bill No. 1993
Assembly Bill No. 1995
Assembly Bill No. 2569
Assembly Bill No. 2619
Assembly Bill No. 3290

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Constitutional Amendment No. 55

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 974
Assembly Bill No 979
Assembly Bill No. 1229
Assembly Bill No 1249
Assembly Bill No 1534
Assembly Bill No. 1708
Assembly Bill No. 2113
Assembly Bill No. 2224
Assembly Bill No. 2570
Assembly Bill No. 3321
Assembly Bill No. 3438

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 9

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 7 to Article XXIV thereof, relating to state printing.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 736

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 736—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Referred to Committee on Agriculture.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 96
Senate Concurrent Resolution No. 97

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 96—Relative to congratulating the City and County of San Bernardino on the occasion of the Centennial Festival.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 97—Relative to Grandmothers Day.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3457—An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

Bill read second time, ordered engrossed, and to the inactive file

Assembly Bill No. 3207—An act making a reappropriation of funds for the construction of a National Guard Armory in or near Alhambra or in east Los Angeles County.

Bill read second time, ordered engrossed, and to the inactive file.

SECOND READING OF SENATE BILLS

Senate Bill No. 216—An act to amend Sections 502, 502.1, 502.2, 511.5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and

Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps.

Bill read second time, and ordered to third reading.

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE: There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended in the Senate on May 31, 1951, and insert

"An act to amend Sections 19601, 19601.5, 19601.6, 19607, 19608, 19613, 19613.1, 19613.5, and 19613.7 of, to add Sections 19601.1, 19601 7, 19602.3, 19602.5, 19607.1, 19607 2, 19607.3, 19607.4, and 19613.8 to, and to repeal Sections 19602.5 and 19614.5 of, the Education Code, relating to the support of".

Amendment No. 2

On page 1 of said bill, strike out lines 16 to 18, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"SEC. 3. Section 19601 5 of said code is amended to read:

19601.5. The need of a parent and child for child care center service shall be determined upon the following conditions:

(a) That there is but one parent in the home who both supports and cares for the child, or

(b) That there are two parents in the home, both of whom are working, or one of whom is physically or mentally unable to either support the family or care for the child, or

(c) That either parent is a veteran of World War II attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 [during the years 1947 to 1951,] or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code, and the other parent, if any, is gainfully employed, or

(d) That the services of the parent having care of the child are necessary as a *qualified and acceptable* teacher in a public school [or as a registered nurse or to meet an emergency arising from the necessity of harvesting or processing crops.], *as shall be evidenced by a statement from the employing authority of the public school to the governing body of the child care center, or*

(e) *That the services of the parent having care of the child are necessary as a registered nurse, as shall be evidenced by a statement from the responsible employer to the governing body of the child care center, or*

(f) *That the services of the parent having care of the child are necessary as a worker in industry essential to the mobilization effort, as shall be evidenced by a statement from the employer in such industry as shall have been designated as essential to the mobilization effort by the Director of Employment, or*

(g) That the services of the parent having care of the child are necessary to meet an emergency arising from the necessity of harvesting or processing crops, or as an agricultural worker where the employer shall have established facilities for use by the child care center.

The need for child care of a parent and child who come within (a) and (b) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (c) to (g), inclusive, of this section

SEC. 4. Section 19601.6 of said code is amended to read:

19601 6. Except [under the conditions specified in paragraphs (c) and (d) of Section 19601.5] *as provided in Section 19601.7*, no child shall be admitted to a child care center if the total monthly income from all sources of the child's immediate family:

(a) Where both parents are working, exceeds [two hundred seventy-five dollars ($275), or,] *three hundred dollars ($300) if there is one child in the family, three*

hundred fifty dollars ($350) if there are two children, four hundred dollars ($400) if there are three children, and an additional fifty dollars ($50) for each child in excess of three.

(b) Where but one parent, who has both custody and care of the child, is the sole wage earner of the child's immediate family, exceeds two hundred [twenty-five dollars ($225), provided, however, that if under (a) above the monthly income of the child as determined by dividing the total monthly income of the child's immediate family from all sources by the number of persons to be supported therefrom does not exceed sixty dollars ($60), then such child may still be admitted to a child care center even though such total monthly income of the child's immediate family exceeds two hundred seventy-five dollars ($275), and provided further however, that if, under (b) above, the monthly income of the child as determined by dividing the total monthly income of the child's immediate family all sources by the number of persons to be supported therefrom does not exceed sixty dollars ($60), then such child may still be admitted to a child care center even though such total monthly income of the child's immediate family exceeds two hundred twenty-five dollars ($225)] *fifty dollars ($250) if there is one child in the family, three hundred dollars ($300) if there are two children, three hundred fifty dollars ($350) if there are three children, four hundred dollars ($400) if there are four children, and an additional fifty dollars ($50) for each child in excess of four.*

[The] *Except as provided in Section 19601.7 the* maximum "total monthly income" figure in either case may be exceeded in any month or months of the year if in the opinion of the board the total income from all sources, of the child's immediate family for the calendar year divided by 12 will not exceed such maximum *In estimating earnings of any member of the child's immediate family the commutation of weekly wages shall be on the basis of wages based on a five-day week if the employer of such person certifies to said governing board that the work week of such person is five days or more.*

SEC. 5. Section 19601.7 is added to said code to read:

19601.7. If either parent is a veteran coming within (c) of Section 19601.5 and is attending school or receiving instruction for not less than half-time, or if either parent comes within (d), (e), (f), or (g) of Section 19601.5, and if the income from all sources of the child's immediate family exceeds that fixed by (b) of Section 19601.6, a child of such parents may be admitted to a child care center but the governing board of the school district maintaining the child care center shall, notwithstanding anything in Section 19607 to the contrary, charge and collect from the person having custody of the child a weekly fee which shall be in such amount as will reimburse the district for the cost of supervision, care, and the cost of all food furnished such child.

As applied to the families of men on active duty with the United States Armed Forces, only that portion of the pay and allowances of such men shall be included in the "total monthly income" which is the amount legally required to be made available for the support of the family by rule or regulation

SEC. 6. Section 19602.5 of said code is repealed

SEC. 7. Section 19602.5 is added to said code to read:

19602.5 Said governing board may accommodate in a child care center maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts

SEC. 8. Section 19608 of said code is amended to read:

19608. The said governing board shall establish in the county treasury a fund to be known as the "child care center fund" into which shall be paid all funds received *by the district* for, or from the operation of, child care centers, *including, but not limited to, all funds derived under Sections 19613.7 and 19613.8*. The costs incurred in the maintenance and operation of child care centers shall be paid from said fund

No funds of a district derived from the receipts of district taxes, *except a district tax levied under Sections 19613.6 and 19613.8*, or derived from moneys apportioned to the district for the support of the schools thereof, except state moneys expressly appropriated from the General Fund for the support of child care centers, may be expended for, or in connection with, a child care center."

Amendment No. 3

On page 2, line 23, of said bill, strike out "SEC. 4", and insert "SEC. 9".

Amendment No. 4

On page 2, lines 26 and 27, of said bill, strike out "Chapter 11, Division 9 of the Education Code", and insert "this chapter".

Amendment No. 5

On page 2, line 29, of said bill, strike out "the discretion"; and strike out lines 30 and 31, and insert "accordance with the provisions of this chapter.

SEC. 10 Section 19613 of said code is amended to read:

19613. [The governing board of each school district is hereby authorized to accept funds from the Government of the United States or any agency thereof, or from any other source other than funds derived from taxes levied by any taxing agency, for any of the purposes of this chapter and such funds may be accepted subject to such

conditions as will further the purpose of this chapter. As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code except that it does not include the State in respect to appropriations from the General Fund] *The State Department of Education is hereby authorized to accept funds from the Government of the United States and to apportion them to the governing board of such school districts as conduct child care centers which are hereby authorized to accept such funds or funds from any other source for any of the purposes of this chapter and all such funds may be accepted subject to such conditions as will further the purposes of this chapter. The State Department of Education shall report to the Legislature at the beginning of the 1952 Budget Session its estimate of the amount necessary for the continuance of this program to its terminal date June 30, 1953, and its recommendations for the expansion or modification of the child care program.*

SEC. 11. Section 19613.5 of said code is amended to read.

19613.5. No state funds shall be expended for the operation of child care centers after *June 30, 1953, and* [February 15, 1951] the unencumbered balance of any appropriation for child care centers shall revert to the General Fund *June 30, 1953* [February 16, 1951] ."

Amendment No. 6

On page 2, line 33, of said bill, strike out "SEC 6", and insert "SEC. 12".

Amendment No. 7

On page 3, line 1, of said bill, strike out "SEC. 6.5", and insert "SEC. 13".

Amendment No. 8

On page 3 of said bill, between lines 17 and 18, insert

"SEC 14. Section 19602.3 is added to said code to read:

19602.3 Children regularly enrolled in a child care center who are absent on account of illness or quarantine shall be considered to be in regular attendance for the number of hours per day for which they are enrolled for the purpose of reporting attendance for state apportionments, whenever the school district certifies that such absence was on account of illness or quarantine and is verified by the district in such manner as the Superintendent of Public Instruction shall require. All attendance shall be recorded and reported in accordance with the requirements of the Superintendent of Public Instruction."

Amendment No. 9

On page 3, line 18, of said bill, strike out "SEC 7", and insert "SEC. 15".

Amendment No. 10

On page 3 of said bill, strike out lines 19 to 22, inclusive, and insert

"SEC 16 Section 19607 of said code is amended to read:

19607. Said governing board shall charge and collect, in advance, from the person having custody of any child admitted to a child care center a weekly fee [which, together with all funds received under Section 19613, shall be in such amount as will reimburse the district for the cost of maintaining such child care center including supervision and care and the cost of all food furnished such child The weekly fees charged need not be uniform] *equal to that specified in the fee schedule prescribed by the Superintendent of Public Instruction.*

It is hereby declared to be the policy of the Legislature that child care centers shall be made available first to those who have the greatest financial need [and to that **end no money appropriated therefor** shall be expended for the care or education of any child in a child care center unless a sliding scale of weekly fees shall have been adopted by the board of school district in which such child care center is maintained under which] , *and the sliding scale of fees prepared by the Superintendent of Public Instruction shall provide for* a nominal fee [shall be charged] for children of families having a monthly income of less than one hundred fifty dollars ($150) or of less than forty dollars ($40) per member of the child's immediate family, and increasingly larger fees shall be charged for children of families having larger incomes. It is further declared to be the policy of the Legislature that so far as possible [where an increase in fees is made necessary because of insufficient funds] *when it becomes necessary for the Superintendent of Public Instruction to adjust the fee schedule that any* [such] increase shall be made first in fees charged to those in the higher income brackets, and the rate of increase in fees charged for children of families of different income levels need not be uniform as between the different income levels. It is further declared to be the policy of the Legislature that the fee [scales] *schedule* shall, so far as reasonably possible, [be uniform for all child care centers, and that they shall] be established on such basis and in accordance with such principles as the [State Department of Education may recommend] *Superintendent of Public Instruction may determine* to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures.

SEC. 17. Section 19607.1 is added to said code to read:

19607.1. It is hereby declared to be the policy of the Legislature that, on a state-wide average, of the total amount of the cost for the maintenance and operation

of child care centers attributable to children less than five years and nine months of age and paid for by state funds apportioned to the districts and fees collected from parents on account of such children, two-thirds of such total cost shall be paid from such state funds and one-third from such fees. Funds derived from district taxes levied under this chapter may be expended in addition to parent fees and state funds, and shall not operate to affect the operation of either the fee schedule or the formula for apportioning state funds provided for in this chapter.

SEC. 18. Section 19607.2 is added to said code to read:

19607.2. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. The schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels for parents who come within the provisions of Section 19601.6. The schedule shall, together with the estimated income to be derived from fees collected from parents pursuant to Section 19601.7, provide as nearly as possible an amount equal to one-half of the state-wide average state support per hour for children less than five years nine months of age as provided in this code. The fee schedule shall be on an hourly basis, and shall be the same for all children.

SEC. 19. Section 19607.3 is added to said code to read:

19607.3. The Superintendent of Public Instruction may revise the fee schedule as necessary in order to conform with the provisions of this code. A change in the fee schedule shall become effective fifteen days after notice of such change has been given by the Superintendent of Public Instruction in writing to each district maintaining a child care center.

SEC. 20. Section 19607.4 is added to said code to read:

19607.4. The state-wide average state support per hour shall be twenty-five cents ($0.25) for children less than five years nine months of age and sixteen cents ($0.16) for other children. The Superintendent of Public Instruction shall apportion state funds to the districts using said state-wide average state support as a maximum, except that if the fees collected by any district shall for any month be more or less than one-half of the state-wide average state support per hour for children less than five years nine months of age, the average state-wide state support amount shall be increased or decreased in an amount equal to the amount the fees deviate from one-half of the average state-wide state support, provided in no event shall the state amount exceed thirty cents ($0.30) for children less than five years nine months of age or twenty cents ($0.20) for other children."

Amendment No. 11

On page 3 of said bill, strike out lines 23 and 24, and insert

"SEC. 21. The sum of five million four hundred fifty-six thousand eight hundred fifty-six dollars ($5,456,856) is hereby".

Amendment No. 12

On page 3 of said bill, strike out lines 29 and 30, and insert "not to exceed forty-four thousand dollars ($44,000) to pay its expenses in determining the need and".

Amendment No. 13

On page 3 of said bill, strike out lines 32 to 36, inclusive, and insert "tutions".

Amendment No. 14

On page 3, line 49, of said bill, strike out "twenty cents"; strike out line 50; and in line 51, strike out "department", and insert "the estimated amount of state aid per hour based on the computation provided for in Section 19607.3 of this code, and in accordance with the estimated fees to be collected in accordance with the fee schedule as provided in Section 19607.2, provided that the estimated apportionment shall not exceed thirty cents ($0.30) per hour for children less than five years nine months of age or twenty cents per hour ($0.20) for other children."

Amendment No. 15

On page 4, line 20, of said bill, strike out "SEC. 10", and insert "SEC. 22".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 748—An act to add Sections 2.5 and 13.3 to, and to amend Section 20 of, the Fish and Game Code, to amend Section 2

of Chapter 1276, Statutes of 1947, to amend Sections 2 and 3 of the Wildlife Conservation Act of 1947, and to amend Section 504 of the Public Resources Code, relating to fish and game, and the administration of the laws pertaining thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 748?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20 of the Fish and Game Code", and insert "add Sections 2.5 and 13 3 to, and to amend Section 20 of, the Fish and Game Code, to amend Section 2 of Chapter 1276, Statutes of 1947, to amend Sections 2 and 3 of the Wildlife Conservation Act of 1947, and to amend Section 504 of the Public Resources Code".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2.5 is added to the Fish and Game Code, to read:

2.5. As used in this code, "director" means the Director of the Department of Fish and Game.

SEC. 2. Section 13 3 is added to said code, to read:

13.3. Notwithstanding any provision of Sections 13 or 13 1 the commission shall continue to have the powers vested in the commission by Sections 39 1, 495, 804 5, 1068, 1074, 1156, 1294, 1346, and 1347.

SEC. 3. Section 20 of said code is".

Amendment No. 3

On page 1, line 3, of said bill, strike out "commission", and insert "director".

Amendment No. 4

On page 1, line 5, of said bill, strike out "they", and insert "the department".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 6, insert

"SEC. 4. Section 504 of the Public Resources Code is amended to read:

504. The work of the department shall be divided into at least [four] *three* divisions, known as the Division of Forestry, the Division of Beaches and Parks, [the Division of Fish and Game,] and the Division of Mines.

SEC. 5. Section 2 of Chapter 1276, Statutes of 1947, is amended to read:

Sec. 2. There is hereby created in the Department of Natural Resources the Marine Research Committee, to consist of nine members Three of such members shall be the President of the Fish and Game Commission, the *Director of the Department of Fish and Game, and one employee of said department designated by the Fish and Game Commission*, [Executive Officer of the Fish and Game Commission, the Chief of the Bureau of Marine Fisheries] who shall be ex officio members and shall have the same rights and powers as other members. Of the other six members, at least five shall be men experienced in and actively engaged in, the canning or reduction of California sardines at the time of their appointment. The six appointed members shall be appointed by the Governor, and shall hold office for two (2) years or until their successors are appointed. The members of the committee shall serve without compensation. They shall be reimbursed from the Fish and Game Preservation Fund for their actual and necessary expenses

SEC. 6. Section 2 of the Wildlife Conservation Act of 1947 is amended to read:

Sec. 2. There is hereby created in the Department of *Fish and Game* [Natural Resources] the Wildlife Conservation Board, hereafter referred to as the board. The board shall consist of the President of the Fish and Game Commission, the executive officer or some other employee of the commission designated by it *who shall serve until the Director of the Department of Fish and Game is appointed and qualifies at which time said executive officer or other employee shall be supplemented by said director as a member of said board*, and the Director of Finance Three Members of the Senate, appointed by the Committee on Rules thereof, and three Members of the Assembly, appointed by the Speaker thereof, shall meet with the board and participate in its activities to the extent that such participations is not incompatible with their respective positions as Members of the Legislature. The chairman of said board shall be elected by the members of such board. For the purposes of this act, said Members of the

Legislature shall constitute an interim investigating committee on the subject of this act and as such shall have the powers and duties imposed upon such committees by the Joint Rules of the Senate and the Assembly. The members of the board shall receive their actual and necessary traveling expenses, which shall be paid from the Wildlife Restoration Fund.

SEC. 7. Section 3 of the Wildlife Conservation Act of 1947 is amended to read:

Sec. 3. The board shall investigate, study and determine what areas within the State are most essential and suitable for wild life production and preservation, and that will provide suitable recreation; and shall ascertain and determine what lands within the State are suitable for game propagation, game refuges, bird refuges, water fowl refuges, game farms, fish hatcheries, game management areas, and what streams and lakes are suitable for, or can be made suitable for, fishing, hunting and shooting. The board shall also ascertain what lands are suitable for providing cover for the propagation and rearing in a wild state of waterfowl, shore birds, and upland birds and the possibilities of acquiring easements on such lands to provide such cover. As a result of such studies the board shall determine what areas, lands or rights in lands or waters should be acquired by the State in order to effectuate a coordinated and balanced program resulting in the maximum revival of wild life in the State and in the maximum recreational advantages to the people of the State. The board shall authorize the acquisition of such lands, rights in land, water, or water rights as may be necessary to carry out the purposes of this act The board may authorize such acquisition by the *Department of* Fish and Game [Commission] but said [commission] *department* shall not acquire any of such property by eminent domain proceedings. The board may authorize such acquisition by the State Public Works Board which is hereby empowered to effect such acquisitions pursuant to the Property Acquisition Act. The *Department of* Fish and Game [Commission] shall, when authorized by the board construct thereon in accordance with law such facilities as are suitable for the purpose for which such lands or right in land or water, or water rights were acquired. Each completed unit of the program shall be managed and maintained by the *Department of* Fish and Game [Commission] . Each recreational area shall be so managed and controlled that the public shall have access thereto and use thereof for all recreational purposes. The money in the Wildlife Restoration Fund shall be available for expenditure under any provision of this section.

SEC. 8. Upon the effective date of this act there shall be transferred from the Department of Natural Resources to the Department of Fish and Game all property, records, equipment, and funds of the Wildlife Conservation Board.

SEC. 9. The unexpended and unencumbered balance, as of the effective date of this act, of the appropriation made by Item 182 of the Budget Act of 1951 to the Department of Natural Resources shall be available to the Department of Fish and Game. Nothing in this section shall be deemed to modify or affect any of the provisions of Section 26 of the Budget Act of 1951."

Amendment No. 6

On page 1 of the printed bill, as amended in the Senate on May 31, 1951, strike out lines 9 and 10, and insert "the commission by Sections 35, 39 1, 39 2, 251, 460, 480, 495, 501, 505, 669, 802, 804 5, 887, 1035, 1061, 1063, 1068, 1074, 1110, 1152 5, 1156, 1293, 1294, 1346, and 1347, and Chapter 5 of Division 1 Whenever under any of said provisions a permit or license is provided for the commission shall prescribe the terms and conditions under which such permit or license shall be issued and the persons or classes of persons to whom such permit or license shall be issued, and the department shall issue such permits or licenses in accordance therewith and with the applicable provisions of law

Notwithstanding any other provision of this code the department may continue to use until the supply thereof is exhausted all tags, plates, and other devices or papers bearing the words "Fish and Game Commission," "Division of Fish and Game" or any abbreviation or variant of such terms and all such tags, plates, devices, or papers heretofore or hereafter issued or otherwise used shall be deemed to refer to the department."

Amendment No. 7

On page 2, line 10, of said bill, as amended, strike out "Natural Resources", and insert "Fish and Game".

Amendment No. 8

On page 2, line 35, of said bill, as amended, strike out "supplemented", and insert "supplanted".

Amendment No. 9

On page 2, line 36, of said bill, as amended, strike out "boards", and insert "board".

Amendment No. 10

On page 3, line 43, of said bill, as amended, after "Board", insert "and of the Marine Research Committee".

Amendment No. 11

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "and 13 3 to, and to amend Section 20", and insert "13 3 and 25 1 to, and to amend Sections 20, 39 1, 39 2, 328, 522, 522 5, 526, 530, 583, 584, and 1159".

Amendment No. 12

On page 1 of said bill, as amended, strike out lines 9 to 11, inclusive, and insert "the commission by Sections 35, 251, 379, 460, 480, 488 5, 495, 499, 501, 505, 520 5, 587, 589, 590, 592, 593, 622, 669, 802, 804 5, 887, 951 1, 994, 995, 995 1, 1035, 1037, 1047, 1061, 1063, 1068, 1074, 1110, 1152.5, 1156, 1204, 1293, 1294, 1314, 1346, and 1347".

Amendment No. 13

On page 1, line 13, of said bill, as amended, after "shall", insert ", in accordance with the applicable provisions of law,".

Amendment No. 14

On page 2 of said bill, as amended, between lines 13 and 14, insert

"SEC 4 Section 25 1 is added to said code, to read:

25 1 The department shall maintain and operate the fish breederies and hatcheries referred to in Section 25.

SEC. 5 Section 39 1 of said code is amended to read:

39 1. Whenever after due investigation the commission shall find that big game animals and upland game birds have increased in numbers in any [fish and game] district or refuge to such an extent that a surplus exists, or to such an extent that such animals or birds are damaging public or private property, or are overgrazing their range, the [said] commission, [with the approval of the Director of the Department of Natural Resources and] with the consent of the Governor, is hereby authorized and directed to provide for a special hunting season for such animals and birds, additional to, or concurrent with any open season specified by law; or to provide for increased bag limits; or to remove sex restrictions specified by law. The [Fish and Game Commission] *commission* may fix a license fee for special hunting, designate the number of special licenses to be issued, the area in which such hunting will be permitted, the number and sex of animals or birds that may be killed by each holder of special license, and the conditions and regulations to govern such hunting The money received from the sale of such licenses shall be paid into the [State] Fish and Game Preservation Fund.

SEC 6 Section 39.2 of said code is amended to read:

39 2. Whenever after due investigation the commission shall find that game fish, birds, or mammals have decreased in numbers in any [fish and game] district to such an extent that a scarcity exists, the [said] commission, [with the approval of the Director of Natural Resources and] with the consent of the Governor, is hereby authorized to reduce the daily bag limit and the possession limit on such species of game fish, birds or mammals as are in danger of depletion, for such period of time as may be specified or until such time as new legislation thereon enacted by the Legislature may become effective

Any order issued under the provisions of this section shall be filed with the Secretary of State, and such filing shall be deemed a legal notice thereof, and such order shall be published twice in at least one newspaper of general circulation in any county affected by such order. Such publications shall be separated by a period of not less than one week and not more than two weeks. Such orders shall be posted in such public places in each county as the director may direct

SEC. 7. Section 328 of said code is amended to read.

328 Lands, or lands and water, acquired by the commission for public shooting grounds shall be operated on a nonprofit basis by the *department* [commission] The commission may determine and fix the amount of, and *the department shall* collect, permit fees for the shooting privilege on such public shooting grounds Only persons holding valid hunting licenses may apply for or obtain such shooting permits Funds derived from the sale of said shooting permits shall be deposited in the Fish and Game Preservation Fund

SEC. 8 Section 522 of said code is amended to read

522 If, in the opinion of the commission, there is not free passage for fish over or around any dam, the commission *shall cause* [must furnish] plans *to be furnished* for a suitable fishway, and order in writing the owner of the dam to provide the dam, within a specified time, with a durable and efficient fishway, of such form and capacity and in such location as shall be determined by the commission. Such fishway must be completed by the owners of the dam to the satisfaction of the commission within the time specified

SEC 9 Section 522 5 of said code is amended to read·

522 5. When all of the provisions of this article have been complied with, if in the opinion of the commission changed conditions make additional structures desirable for the free passage of fish, the [commission] *department* may make such additional structures and may expend such sums of money as it deems necessary for such additional construction, including the cost of insurance against any liability which the [commission] *department* may incur in connection with such structures

SEC. 10. Section 526 of said code is amended to read:

526. Whenever in the opinion of the commission it is impracticable, because of the height of any dam, or other conditions, to construct a fishway over or around the dam, the commission may order, in lieu of the fishway, the owner of the dam completely to equip, within a specified time, on a site to be selected by the commission, a hatchery, together with dwellings for help, traps for the taking of fish, and all other equipment necessary to operate a hatchery station, according to plans and specifications furnished by the commission. After such hatchery has been constructed, the [commission] *department* shall operate it without further expense to the owner of the dam.

SEC. 11. Section 530 of said code is amended to read:

530. The commission may, in lieu of a fishway, hatchery, dwelling, traps or other equipment necessary to operate a hatchery station, order the owner of the dam to plant, under the supervision of the *department* [commission], the young of such fish as naturally frequent the waters of the stream or river, at such times, in such places, and in such numbers as the commission may order.

SEC. 12. Section 583 of said code is amended to read:

583. If, at any time, the *commission finds that* harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or shall tend to impair or destroy the supply of any food for fish, the *department* [commission] shall serve on every person licensed to harvest kelp a written notice that said kelp bed or beds, or parts thereof, shall be closed to the harvesting of kelp for a period not to exceed one year.

SEC. 13. Section 584 of said code is amended to read:

584. Within 10 days after the service of such a notice, the person upon whom notice is served may demand a hearing upon the necessity for the closing of said kelp bed or beds, or parts thereof. Upon such demand for a hearing, the commission shall fix a time and place for the taking of evidence upon the necessity for such closing, which time shall be not less than 10 days nor more than 30 days from the date of such demand. The *department* [commission] shall serve written notice of the time and place of the hearing upon the person demanding said hearing, at least 10 days before the day set for the hearing. If no demand is made for a hearing within the time prescribed herein, said kelp bed or beds, or parts thereof, shall remain closed to the harvesting of kelp for the time mentioned in said order.

SEC. 14. Section 1159 of said code is amended to read:

1159. To provide added protection for landowners and lessees from depredations of trespassers and to provide greater access for the public to hunt on privately owned or controlled lands, the commission may contract with the owners or lessees of lands for the establishment of cooperative hunting areas upon such terms as the respective parties may agree subject to the following conditions:

Each cooperative hunting area shall be at least 5,000 acres in size and may consist of the adjoining lands of one or more owners. The boundaries of such areas shall be posted by the [Fish and Game Commission] *department* with a sign stating that legal hunting will be allowed in the area if written permission is obtained from the owner or lessee or his duly authorized agent. The *department* [Fish and Game Commission] shall enforce the trespass provisions of the Penal Code and the provisions of this code within such areas.

The commission may establish rules and regulations for the management and control of the hunting on such areas; provided, that such rules and regulations shall not conflict with or modify the provisions of this code or its orders of the commission made pursuant to Sections 14 to 19.6 thereof, and that the open season and bag limits for any cooperative hunting area shall not differ from the open season and bag limits as prescribed for the district wherein the cooperative hunting area lies. The owners or owner or lessees or lessee of a cooperative hunting area may collect a daily fee not to exceed two dollars ($2) per day per area from each permit hunter."

Amendment No. 15

On page 2, line 14, of said bill, as amended, strike out "SEC. 4", and insert "SEC. 15".

Amendment No. 16

On page 2, line 17, of said bill, as amended, strike out "three", and insert "four".

Amendment No. 17

On page 2, line 18, of said bill, as amended, strike out "and the Division of Mines", and insert "the Division of Mines, and the Division of Oil and Gas".

Amendment No. 18

On page 2, line 19, of said bill, as amended, strike out "SEC. 5", and insert "SEC. 16".

Amendment No. 19

On page 2, line 36, of said bill, as amended, strike out "SEC. 6", and insert "SEC. 17".

Amendment No. 20

On page 3, line 9, of said bill, as amended, strike out "SEC. 7", and insert "SEC. 18".

Amendment No. 21

On page 3, line 47, of said bill, as amended, strike out "SEC. 8", and insert "SEC. 19".

Amendment No. 22

On page 4, line 1, of said bill, as amended, strike out "SEC. 9", and insert "SEC. 20".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 748 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Cloved, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 748 ordered enrolled.

Assembly Bill No. 1049—An act to add Section 1193.1 to the Code of Civil Procedure, relating to mechanics' liens.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1049?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1951, after "An act to", insert "repeal Section 1193.1 of, and to".

Amendment No. 2

On page 1 of said bill, as amended, between lines 1 and 2 insert "SECTION 1. Section 1193.1 of the Code of Civil Procedure is hereby repealed."

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "SECTION 1", and insert "SEC. 2".

Amendment No. 4

On page 1, line 9, of said bill, as amended, strike out "within", and insert "before the expiration of".

Amendment No. 5

On page 3, line 4, of said bill, as amended, strike out "in".

Amendment No. 6

On page 3, line 5, of said bill, as amended, strike out "addition to a street address,".

Amendment No. 7

On page 3, line 7, of said bill, as amended, after "eous", insert "or that such street address is omitted".

Amendment No. 8

On page 3, line 43, of said bill, as amended, strike out "in addition to a street".

Amendment No. 9

On page 3, line 44, of said bill, as amended, strike out "address,".

Amendment No. 10

On page 3, line 45, of said bill, as amended, after "erroneous", insert "or that such street address is omitted".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1049 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick,

Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stewart, Thomas, and Mr. Speaker—50.
NOES—None.

Assembly Bill No. 1049 ordered enrolled.

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1495?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "reasonably".

Amendment No. 2

On page 1, line 7, of said bill, after "proceeding", insert "unless the court determines that the bond was unnecessary".

Amendment No. 3

In line 2 of the title of the printed bill, as amended in the Senate on June 12, 1951, after "to", insert "court".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1495 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloyed, Coats, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 1495 ordered enrolled.

Assembly Bill No. 1864—An act to amend Section 37202 and 37203 of the Government Code, relating to the powers of cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1864?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 27, 1951, after "warrant", insert "or warrants".

Amendment No. 2

On page 1, line 20, of said bill, as amended, strike out "it is".

Amendment No. 3

On page 1, line 21, of said bill, as amended, strike out "it is to be paid", and insert "payment is to be made".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1864 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—50.
NOES—None.

Assembly Bill No. 1864 ordered enrolled.

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2910?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "district facilities", and insert "the bridge and its approaches".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2910 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—None

Assembly Bill No. 2910 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that arrangements have been made with Senator Hulse, Chairman of the Senate Committee on Finance, that an Assistant Sergeant-at-Arms be stationed at the door of his committee room for the purpose of informing Assembly members when to appear on behalf of their bills He further announced that all members are needed on the floor of the Assembly, and requested them to stay in their seats until the Senate informs them it is convenient for them to appear.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2914—An act to amend Sections 27281, 27281a, and 27300a, and to repeal Sections 27302 and 27303 of, of the Streets and Highways Code, relating to bridge and highway districts.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2914?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "27303 of", and insert "27306".

Amendment No. 2

In line 4 of the title of said bill, as amended, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, line 12, of said bill, as amended, strike out "and depreciation".

Amendment No. 4

On page 2, line 15, of said bill, as amended, after the period, insert "The first indebtedness or lien against these revenues shall be the obligations created pursuant to Chapter 1505, Statutes of 1945, as amended."

Amendment No. 5

On page 2, line 21, of said bill, as amended, strike out "27303", and insert "27306".

Amendment No. 6

On page 2, line 31, of said bill, as amended, after "(a)", insert "First,".

Amendment No. 7

On page 2, line 31, of said bill, as amended, strike out the period, and insert a semicolon.

Amendment No. 8

On page 2, line 32, of said bill, as amended, after "(b)", insert "Second,".

Amendment No. 9

On page 2, line 32, of said bill, as amended, strike out "and depreciation".

Amendment No. 10

On page 2, line 33, of said bill, as amended, strike out the period, and insert ", and".

Amendment No. 11

On page 2, line 34, of said bill, as amended, after "(c)", insert "Third,".

Amendment No. 12

On page 2, line 35, of said bill, as amended, after the period, insert "The first indebtedness or lien against these revenues shall be the obligation created pursuant to Chapter 1505, Statutes of 1945, as amended

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There has been a tremendous increase in the volume of traffic using state highways connecting with the Golden Gate Bridge in the past few years In order to reduce traffic hazards it is essential that a safer highway be provided immediately to accommodate the many vehicles regularly using the bridge Money has been appropriated for such purposes by Chapter 1505 of the Statutes of 1945 and Chapter 1431 of the Statutes of 1949 So that progress can be made on the construction of such safer highways it is necessary to execute certain supplemental agreements to safeguard the interests of the State and the Golden Gate Bridge and Highway District This act will make possible the execution of such supplemental agreements and therefore it is necessary that this act take immediate effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2914 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2914 ordered enrolled.

Assembly Bill No. 3175—An act to amend Sections 3215, 3227, and 3605 of the Public Resources Code, relating to oil or gas.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3175?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out ", 3227, and 3605", and insert "and 3227".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 18 to 20, inclusive.

Amendment No. 3

On page 2, line 14, of said bill, as amended, after "(e)", insert "As used in this section,".

Amendment No. 4

On page 2, line 21, of said bill, as amended, strike out "4", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3175 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 3175 ordered enrolled.

Assembly Bill No. 2072—An act to repeal Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118.5.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2072?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 2 and insert "amended to read:

929. In District 118.5, [purse seines or round haul] nets may not be used *within one-half nautical mile radius of any pier or dock*."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2072 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2072 ordered enrolled.

Assembly Bill No. 710—An act to amend Section 902 of the Probate Code, relating to executors and administrators.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 710?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on May 17, 1951, strike out "when authorized by order of the court".

Amendment No. 2

On page 1 of said bill, as amended, strike out line 19, and insert "action which such persons, respectively, may lawfully perform in the computation, reporting, or making of tax returns, or in".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 710 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 710 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 101

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 101, temporarily passed on file.

Assembly Bill No. 101—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 101?

Amendment No. 1

On page 5 of the printed bill, between lines 22 and 23, insert

"The total amount of taxes levied for the purpose of carrying on any program under this subdivision shall not be in excess of five cents ($0.05) for each one hundred dollars ($100) of assessed valuation of the taxable property within the district.

The authority of the district to carry on any program under this subdivision shall terminate on October 1, 1953."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 101 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 101 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2895

Mr. McFall asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2895, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2895—An act to add Section 926a of the Health and Safety Code, relating to local health districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2895?

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "of", and insert "to".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2895 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2895 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2806

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2806, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2806—An act to amend Sections 3, 4, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54, 58, and 59 of and to repeal Sections 20, 35, 36, 42, 47, 53, 55, 56, and 57 of, and to add Section 4.1 to, the Parking Law of 1949, relating to off-street parking.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2806?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out everything after "Sections"; strike out lines 2 to 5, inclusive; and in line 6, strike out "the Parking Law of 1949", and insert "32503, 32651, 32653, 32657, 32665, 32667, 32802, 32803, 32809, 32950, 32954, 33101, 33102, 33103, 33104, 33105, 33106, 33107, 33108, 33109, 33110, 33111, 33112, 33114, 33115, 33116, 33117, 33118, 33119, 33120, 33121, 33122, 33123, 33124, 33125, 33127, 33128, 33129, 33130, 33133, 33134, 33135, 33136, 33137, 33138, 33140, 33141, 33143, 33145, 33146, 33147, 33148, 33250, and 33400 of, add Sections 32665.5, 32657.5, 32812, 33101.5, 33105.5, and 33107.5, to, and repeal Sections 32514, 32659, 32660, 32800, 32957, 33251, 33252, 33253, 33254, 33255, 33401, 33402, 33550, 33551, 33113, 33131, 33132, 33139, and 33144 of, the Streets and Highways Code"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, of said bill, as amended, strike out line 1, and insert

"SECTION 1 Section 32503 of the Streets and Highways Code is amended to read:

32503. Parking facilities of an authority are subject to the planning, zoning, sanitary, and building laws, ordinances, and regulations applicable to the locality in which they are situated. In the planning and location of any parking facility, an

authority is subject to the relationship of the facility to any *officially adopted* master plan or sections of [a] *such* master plan for the development of the area in which the authority functions *to the same extent as if it were a private entity*.

[To avoid unnecessary duplication of effort and expense, the authority shall have access for its purposes to the services and facilities of the city planning department, the city engineer, the police department, the fire department, and other appropriate departments and offices of the city.]

SEC. 2. Section 32651 of said code is amended to read:

32651. The authority shall not transact any business or exercise any powers unless and until the legislative body of the city by resolution declares that there is need for *the* [a parking] authority to function in the city.

SEC. 3. Section 32653 of said code is amended to read:

32653. In any suit, action, or proceeding by or against or in any manner relating to an authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers upon proof of the adoption of [a] *the* resolution by the legislative body declaring the need for the authority to function.

SEC. 4. Section 32657 of said code is amended to read:

32657. Three of the members first appointed shall be designated *by the mayor, with the approval of the legislative body,* to serve for terms of one, two, and three years, respectively, from *a date specified by the mayor in their appointments* [the date of their appointments], and two shall be designated to serve for terms of four years from *that date* [the date of their appointments]. Thereafter members shall be appointed for a term of four years. All vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until his successor has been appointed and has qualified.

SEC. 5. Section 32657.5 is added to said code, to read:

32657.5. The authority shall hold meetings at such times as it shall determine. The concurring votes of three members of the authority shall be required for the taking of any action.

SEC. 6. Section 32665 of said code is amended to read:

32665. If within four years after the adoption of a resolution declaring the need for a parking authority to function in a city, the authority has not acquired or entered into possession of land for a parking facility, issued bonds, or entered into any contract for the acquisition, construction, or operation of a parking facility, the legislative body by resolution may declare that there is no need for the authority to *function in the city*. Upon the adoption of such resolution, the offices of the Members of the authority become vacant and the capacity of the authority to transact business or exercise any power is suspended until the legislative body again adopts a resolution declaring the need for the authority to function.

SEC. 7. Section 32665.5 is added to said code, to read:

32665.5. Upon the termination of any such suspension by the adoption of such resolution declaring the need for the authority to function, appointments of the members of such authority shall be made, and other proceedings for the organization and activation of the authority had and taken as if such resolution were the original resolution declaring need for a parking authority to function provided for by Section 32651. However, if such termination of any such suspension occurs within the term for which any member or members of the authority has or have been appointed, such member or members whose terms have not expired shall ipso facto by such termination be restored to office as such member or members, and shall serve for the remainder of his or their unexpired term or terms, as if such suspension had not occurred.

SEC. 8. Section 32667 of said code is amended to read:

32667. At any time after the activation of a parking authority, the legislative body by a two-thirds vote may adopt a resolution transferring the property of the authority to the city, and the city may, through such department, *board, officer, or agency*, as it determines, exercise its powers in regard to such property by virtue of the Constitution, its charter, this part or any general law. No such transfer shall be made in contravention of any covenant or agreement made with the holders of bonds of the authority issued and outstanding.

SEC. 9. Section 32802 of said code is amended to read.

32802. The authority may:

(a) Purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property within or outside the city, or any interest in, or improvements on, such property. *However, no property of a state public body may be acquired without its consent.*

(b) Acquire any property by the exercise of the power of eminent domain, except that property of a state public body shall not be acquired without its consent.

(c) Sell, lease, exchange, transfer, assign, or otherwise dispose of any real or personal property or any interest in such property.

(d) Lay out, open, extend, widen, straighten, establish, or change the grade, in whole or in part, of public parking facilities and public rights of way necessary or convenient for such facilities.

(e) Insure any of its real or personal property or operations against risks or hazards.

SEC. 10. Section 32803 is amended to read:

32803. [Either on its own behalf or as an agent of the city,] The authority may acquire, construct, rent, lease, maintain, repair, manage and operate all or any portion of any real and personal property, including the leasing of the operation of the property, and the leasing for commercial purposes of surplus space or space which it is not economic to use for parking purposes.

SEC. 11. Section 32809 of said code is amended to read:

32809. The authority may borrow money or accept financial or other assistance from the city, the State, [or] the Federal Government, *or any other source* for or in aid of any parking facility within its area of operation, and to such ends may comply with any conditions attached thereto.

SEC. 12. Section 32812 is added to said code, to read:

32812. In order that there may be no unnecessary duplication of effort or expense, the authority may provide for the furnishing of services by, and the use of facilities of, any department, office or agency of the city in lieu of, or in conjunction with, the direct provision by the authority of services and the use of facilities through employment or purchase or other means. The furnishing of such services and the use of such facilities of any such department, office or agency shall be upon such terms and conditions as may be approved by the authority and the legislative body of the city, and subject to reimbursement of the appropriate funds of the city for the reasonable value thereof. The legislative body may, from time to time, by resolution, provide for the making by the authority to the city, annually, of a payment, the amount of which shall be determined in a manner provided by such legislative body, but which shall not exceed the amount the authority would be required to pay to the city in ad valorem taxes if it were a private entity owning the same property.

SEC. 13. Section 32950 of said code is amended to read:

32950. An authority shall not acquire any existing parking facility by the exercise of the power of eminent domain except after public hearing. Notice of the date, time, place, and purpose of the hearing shall be published once not less than 10 nor more than 20 days prior to the hearing *in a newspaper of general circulation printed and published in the city, or, if there be no such newspaper printed and published therein, by posting copies of the notice in at least three public places in the city not less than 10 nor more than 20 days prior to the date of the hearing.*

SEC. 14. Section 32954 of said code is amended to read:

32954. If no bid *which the authority finds to be reasonable and valid* is received *upon the original advertising*, the authority need not readvertise and may operate the project itself.

SEC. 15. Section 33101 of said code is amended to read:

33101. Bonds shall not be issued in any city until the legislative body, either at a general or a special election, submits to the electors of the city the question whether the [legislative body] *city* or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for in this part. If a majority of the voters voting upon the proposition favor the proposition, the authority, or the city, or both, as specified in the proposition, may from time to time issue bonds in accordance with this part. In any city in which the voters have previously authorized the issuance of general obligation bonds or revenue bonds for parking facilities an authority *or the city, pursuant to Section 33552*, may issue bonds without submitting such proposition to the voters.

SEC. 16. Section 33101.5 is added to said code, to read:

33101.5. In lieu of the submission of such question the legislative body may from time to time so submit to such electors the proposition of the issuance, by the authority or the city, pursuant to this part, of revenue bonds in a specific amount, to finance a specific project or specific projects. If at any such election a majority of the voters voting upon the proposition vote in favor thereof, the power to issue revenue bonds as provided in this part shall be operative as to the bonds so specified, and the authority, or the city, as may have been so specified, may from time to time issue revenue bonds in accordance with the provisions of this part in an amount or amounts not exceeding the amount so specified for the project or projects so specified.

SEC. 17. Section 33102 of said code is amended to read:

33102. [The authority may issue bonds in its name. The bonds constitute obligations of the authority only, and the payment of the principal or interest of any such bond does not constitute a debt, liability, or obligation of the city or the State.] *The authority shall have power to borrow money to provide funds for any project and to issue in its name revenue bonds to evidence the indebtedness created by such borrowing. The bonds of each issue shall constitute special obligations, and evidence a special indebtedness, of the authority, which shall be a charge upon, and payable, both as principal and interest, and as to any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance, and shall not constitute obligations, nor evidence any indebtedness, of the city, or of the State.*

SEC. 18. Section 33103 of said code is amended to read:

33103. [Any bond issued by an authority shall contain a recital on its face that the payment of all or part of the principal or interest does not constitute a debt, liability, or obligation of the city or the State.] *All such bonds shall recite upon their*

face, in substance, that the bonds of each issue shall constitute special obligations, and evidence a special indebtedness, of the authority, which shall be a charge upon, and payable, both as principal and interest, and as to any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance, and shall not constitute obligations, nor evidence any indebtedness, of the city, or of the State, and shall also recite upon their face that they are issued under this part, which for that purpose may be designated by the short title provided for in Section 32500

SEC. 19. Section 33104 of said code is amended to read.

33104 An authority may issue such types of bonds as it determines, including bonds on which the principal and interest are payable:

(a) Exclusively from the income and revenue of the parking facilities financed with the proceeds of the bonds, or with such proceeds and financial assistance from the State or Federal Governments *or from any other source* in aid of such projects.

(b) Exclusively from the income and revenue of certain designated parking facilities, whether or not such facilities were financed in whole or in part with the proceeds of the bonds, *and including income or revenue from any future extension, betterment, or addition to any such parking facilities thereafter to be established*.

(c) From its revenues generally

(d) From any contributions or other financial assistance from the *city, the* State or Federal Governments, *or from any other source*.

(e) From parking meter revenue of the city which may be appropriated by the governing body of the city.

(f) From any combination of these sources

SEC. 20. Section 33105 of said code is amended to read:

33105. Bonds may be additionally secured by [a pledge of] *the pledging of, placing a charge upon, or otherwise making available* any parking meter revenue. Until all bonds so secured have been paid, the legislative body of a city may [pledge or] allocate, *pledge, place a charge upon, or otherwise make available* its parking meter revenue or special taxes for periods of years for the financing or operation of any project authorized by this part and the payment of principal and interest on all or any type of bond issued and outstanding pursuant to this part.

SEC 21. Section 33105.5 is added to said code, to read.

33105.5. Nothing in this part nor in the specification, in the proceedings for the issuance of any bonds, of the sources of payment thereof, shall preclude any of the following:

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a project on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds.

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the authority issuing the same in any case where such purchasers or entity may have guaranteed such payment.

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the authority may lawfully so apply

SEC 22. Section 33106 of said code is amended to read

33106. Except as limited by express provision of this part, each authority, by resolution, *or by contract, or other agreement with, or for the benefit of, the bondholders*, may determine all the terms and conditions of each issue, *series, or division* of bonds and of their sale and issuance, and all matters necessary or appropriate in connection with the bonds

SEC. 23. Section 33107 of said code is amended to read:

33107 An authority may *provide* [enter into indentures providing] for the aggregate principal amount, date or dates, maturities, interest rate *or rates, interest payment dates*, denominations [,] *and* form [, registration, transfer,] *of such bonds*, and [interchange of bonds and coupons, and the terms and conditions] *may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of bonds, and for all other terms and conditions* upon which they shall be executed, issued, secured, sold, paid, redeemed, funded, and refunded

SEC 24. Section 33107.5 is added to said code, to read:

33107.5 The authority may provide that any resolution or resolutions adopted in connection with the authorization of any bonds shall constitute a contract with the holders of such bonds, not subject to repeal, and not subject to any modification other than to the extent and in a manner provided in any such resolution.

SEC. 25. Section 33108 of said code is amended to read:

33108. Reference on the face of the bonds to [the indenture by its date of adoption, or the apparent date of adoption on the face of the indenture,] *any such resolution by the date of its adoption, or to any such contract or other agreement by the date of its execution, or the apparent date on the face thereof,* is sufficient to incorporate all of the provisions of the [indenture] *contract or agreement* into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and is bound thereby.

SEC. 26. Section 33109 of said code is amended to read:

33109. [An indenture may include] *The authority may provide for* such covenants and agreements on the part of the authority as [the authority] *it* deems necessary or advisable for the better security of [the] *any* bonds [, including a pledge of the project].

SEC. 27. Section 33110 of said code is amended to read.

33110. [An indenture may include a clause] *The authority may provide for the making of a covenant* requiring the authority to pay punctually the principal and interest on [the] *any* bonds on the date or dates, at the place or places, and in the manner mentioned in the bonds and coupons in accordance with [the indenture] *their terms.*

SEC. 28. Section 33111 of said code is amended to read:

33111. [An indenture may include a clause] *The authority may provide for the making of a covenant* requiring the authority to continuously operate in an efficient and economical manner [all projects acquired, constructed, or completed, in whole or in part, from the proceeds of the bonds or from other proceeds.] *any or all facilities and properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.*

SEC. 29. Section 33112 of said code is amended to read:

33112. [An indenture may include a clause requiring the authority to make all repairs, renewals, and replacements necessary to the operation of the project and to keep it in good repair at all times.]

The authority may provide for the making of a covenant requiring the authority to make all repairs, renewals and replacements necessary to the operation of any or all facilities and properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, and to keep any and all such facilities and property at all times in good repair.

SEC. 30. Section 33114 of said code is amended to read:

33114. [An indenture may include a clause] *The authority may provide for the making of a covenant* requiring the authority to pay and discharge from the funds available for that purpose all lawful claims for labor, materials and supplies, or other charges which if unpaid may become a lien or charge upon all or any part of the revenue, *any facilities or properties, revenues charged with the payment of any bonds in connection with which the covenant is made,* or physical properties of the project which may impair the security of the bonds.

SEC. 31. Section 33115 of said code is amended to read:

33115. [An indenture may include a clause] *The authority may provide for the making of a covenant* which limits, restricts, or prohibits the power of the authority to mortgage or otherwise encumber, sell, lease, or dispose of *any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which the covenant is made,* [the project,] or to enter into any lease or agreement which *might impair or impede* [impairs or impedes] the operation of *such facilities or properties, or any part thereof,* [all or any part of the project necessary to secure adequate revenues] or [which] *might* otherwise impair [s] or impede [s] the rights of bondholders with respect to *such revenues.* [the revenue]

SEC. 32. Section 33116 of said code is amended to read:

33116. [An indenture may include a clause requiring the authority to fix, prescribe, and collect fees, tolls, rentals, or other charges in connection with the services and facilities furnished from the project sufficient to pay all of the following:

(a) The principal of and interest on the bonds as they become due and payable

(b) All expenses of operation, maintenance, and repair of the project

(c) Such additional sums as may be required for any sinking fund, reserve fund, or other special fund provided for the further security of the bonds or as a depreciation charge or other charge in connection with the project.]

The authority may provide for the making of a covenant requiring the authority to fix, prescribe and collect, with respect to any or all properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, fees, tolls, rentals or other charges in connection with the services and facilities furnished from any such properties operated by it, and to fix and collect rentals or other charges for any such properties leased by it to others for operation, sufficient, with such parking meter revenues or other funds as may have been made available for and charged with such payment, to pay the principal of and interest on such bonds as they become due and payable, together with all expenses of operation, maintenance and repair of such facilities and properties, and with such additional

sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such facilities and properties, and all other charges payable out of any revenues charged with the payment of the bonds.

The authority may also provide for the making of a covenant requiring the fixing and prescribing by it and the collection by any lessee or operator of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection with the services and facilities furnished by such lessee or operator, sufficient to assure the payment by such lessee or operator to such authority of the rentals or other charges payable by such lessee or operator to such authority.

SEC. 33. Section 33117 of said code is amended to read:

33117. [An indenture may include a clause requiring the authority to hold in trust the revenue pledged to the payment of the principal and interest on the bonds, or to any reserve or other fund created for the further protection of the bonds, and to apply such revenue only as provided in the indenture.]

The authority may provide for the making of a covenant requiring the authority to provide for the establishment and maintenance of reserve funds, sinking funds, or other special funds in the city treasury or special trust accounts in a bank or trust company to insure payment, when due or payable, whether at maturity or upon redemption, of the principal of and interest on any bonds, including premiums, if any due, upon the redemption of any thereof, or to insure the application of the proceeds of such bonds to the purposes for which the same were issued, or for any other appropriate purpose. Any money placed in any such reserve, sinking, or other special fund or trust account shall constitute a trust fund and shall be applied only to the purposes for which it was created.

SEC. 34. Section 33118 of said code is amended to read:

33118. [An indenture may include a clause limiting the power of the authority to use the proceeds of the sale of any issue of bonds for acquiring, constructing, or completing all or part of any project or more than one project.]

The authority may provide for the making of a covenant requiring it to apply the proceeds of the bonds in connection with which such covenant is made, or any part thereof, to the acquisition or construction of a specified facility, or other specified purpose.

SEC. 35. Section 33119 of said code is amended to read:

33119. [An indenture may include a clause limiting the power of the authority to issue additional bonds for the purpose of acquiring, constructing, or completing all or part of any improvement.]

The authority may provide for the making of a covenant restricting the incurring of additional indebtedness payable in whole or in part out of revenues or funds which are charged with the payment of any bonds in connection with which such covenant is made.

SEC. 36. Section 33120 of said code is amended to read:

33120. [An indenture may include a clause requiring, specifying, or limiting the kind, amount, and character of insurance to be maintained by the authority on all or any part of any project, and the use and disposition of the proceeds of such insurance.]

The authority may provide for the making of a covenant requiring it to carry insurance on any facilities or properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or any operations incident thereto, specifying or limiting the kind, amount and character of such insurance, and providing for the use and disposition of the proceeds of any such insurance thereafter collected.

SEC. 37. Section 33121 of said code is amended to read:

33121. [An indenture may include a clause prescribing the events of default and the terms and conditions upon which any or all of the bonds then or thereafter issued become or may be declared due and payable prior to maturity. Such clause may also specify the terms and conditions upon which such declaration and its consequences may be waived.]

The authority may provide for the terms and conditions upon which any bonds may become or be declared due and payable prior to maturity, upon the happening of any specified event of default, and the terms and conditions upon which such declaration and its consequences may be waived.

SEC. 38. Section 33122 of said code is amended to read:

33122. [An indenture may include a clause designating] *The authority may provide for* the rights, limitations, powers, and duties arising upon breach by the authority of any of the covenants, conditions, or obligations contained in [any indenture,] *any resolution, contract, or agreement*

SEC. 39. Section 33123 of said code is amended to read:

33123. [An indenture may include a clause prescribing] *The authority may provide for* a procedure by which certain specified terms and conditions of [the indenture] *any resolution, contract, or agreement* may be subsequently amended or modified, *or any provision thereof waived,* with the consent of the authority and the vote or written

assent of the holders of a specified principal amount of the bonds issued and outstanding. [Such clause may provide for meetings of bondholders and for the manner in which the consent of the bondholders may be given The clause shall specifically state the effect of such amendment or modification] *Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given. Such provision shall specifically state the effect of such amendment, modification, or waiver* upon the rights of the holders of all of the bonds and interest coupons appertaining to the bonds, whether attached to or detached from the bonds.

SEC. 40. Section 33124 of said code is amended to read.

33124 [Any clause providing for the modification or amendment of an indenture may provide that bonds held by the authority, by any department, political subdivision, or agency of the State, any public corporation, municipality, district, or political subdivision shall not be counted as outstanding bonds or be entitled to vote or assent, but shall nevertheless be subject to any such modification or amendment]

The provisions for such procedure may include an agreement that bonds held by the authority, the city, or by any other person or entity who or which the authority may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto.

SEC. 41. Section 33125 of said code is amended to read:

33125. The [indenture may include a clause providing] *authority may provide* for such other acts and matters as *it may deem to be* [are] necessary, convenient, or desirable to secure the bonds or to make them more marketable.

SEC. 42. Section 33127 of said code is amended to read:

33127. The authority may fix and determine the conditions upon which any trustee shall receive, hold, or disburse any or all [revenues collected for or on account of the bondholders] *funds coming into its hands pursuant to any resolution, contract, or agreement*.

SEC. 43. Section 33128 of said code is amended to read:

33128. The authority may prescribe the duties and powers of any trustee respecting the payment of principal and interest on [the] bonds, the redemption of [the] bonds, the registration and discharge from registration of [the] bonds, and the management of any sinking or other fund provided as security for [the] bonds , *and with respect to any other appropriate matter*.

SEC. 44. Section 33129 of said code is amended to read.

33129. The authority may *provide for the issuance of* [issue] bonds in series , *and for the division of any issue into two* [or may divide any issue into one] or more divisions, and *may* fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions. *After having authorized or issued bonds the authority may from time to time thereafter authorize and issue other bonds, subject to any covenants it may have made restricting the future issuance of bonds.* [The authority may provide for successive issues or for one maximum issue.]

SEC. 45. Section 33130 of said code is amended to read:

33130. All bonds of the same authorized issue need not be of the same kind or character, have the same security, or *bear* [be of] the same interest rate, but the terms of the bonds shall in each case be prescribed by the authority [, at or prior to their issuance] .

SEC. 46 Section 33133 of said code is amended to read:

33133. Bonds may be callable upon such terms, conditions, and notice as the authority determines, and upon the payment of the premium , *if any*, fixed by the authority in the proceedings for their issuance. [A bond is not] *No bond shall be* subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on its face

SEC. 47. Section 33134 of said code is amended to read.

33134 The authority may provide for the payment of the principal and interest of bonds at any place within [or without] the State, *or for the payment or collection of such principal without the State,* and in *any* specified coin or currency of the United States

SEC 48. Section 33135 of said code is amended to read:

33135 Signatures on the bonds and interest coupons may be printed, lithographed, or engraved facsimile, except *that on the bonds, but not on the interest coupons,* the countersignature of the clerk or other officer of the authority designated by it which shall be manually affixed.

SEC 49. Section 33136 of said code is amended to read.

33136. If any officer *or representative* whose signature or countersignature appears upon the bonds or coupons ceases to be an officer *or representative* before the delivery of the bonds or coupons, his signature or countersignature is nevertheless valid and of the same force and effect as if he had [remained in] *continued to hold his office or position* [office] until the delivery of the bonds and coupons.

SEC. 50. Section 33137 of said code is amended to read:

33137. Bonds *issued under this part* [shall bear dates prescribed by the authority. They] may be serial or sinking fund bonds [with such maturities as the authority determines]. A bond by its terms shall not mature more than forty (40) years from its own date. If any authorized issue is divided into two or more series or divisions, the maximum maturity date shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

SEC. 51. Section 33138 of said code is amended to read:

33138. [The authority may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. It] *The authority* may sell bonds at less than their par or face value, but a bond shall not be sold at a price below its par or face value which would result in a sale price yielding to the purchaser an average of more than 6 percent a year, payable semiannually, according to standard tables of bond values.

SEC. 52. Section 33140 of said code is amended to read:

33140. [Interest] *The authority may provide that interest* on bonds issued for the acquisition, construction, or completion of any project may be paid out of the proceeds of the sale of the bonds during the actual construction of the project and for a period of not to exceed two years after completion of actual construction, *or for any other reasonably limited period* [as provided for in the indenture].

SEC. 53. Section 33141 of said code is amended to read:

33141. In the proceedings for the issuance of bonds, the authority may provide that the principal of and interest on the bonds constitute such *charge* [lien] upon the revenues of any project acquired, constructed or completed from the proceeds of the bonds, *or upon other available and specified revenues or funds as may be* [as is] provided for in *such proceedings* [the indenture].

SEC. 54. Section 33143 of said code is amended to read:

33143. The principal, interest, and income of all bonds *issued under this part* [is] *are* exempt from all taxation in this State, other than gift, inheritance, and estate taxes.

SEC. 55. Section 33145 of said code is amended to read:

33145. The authority may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any revenue bonds issued by it. All provisions of this part applicable to the issuance of bonds are applicable to [funding or] refunding bonds and to their issuance, sale or exchange. *However, even if the alternative method provided for in Section 32655 of submitting to the electors the question of issuing bonds in a specific amount has been followed, without the submission of the question of adopting the revenue bond method of financing, no submission to the electors of the proposition of issuing refunding bonds shall be required as a prerequisite to the issuance of such refunding bonds; and if the proposition of adopting the revenue bond method of financing has been submitted and carried, it shall be full authority for the issuance of refunding bonds.*

SEC. 56. Section 33146 of said code is amended to read:

33146. [Funding or refunding] *Refunding* bonds may be issued in a principal amount sufficient to provide funds for the payment of the bonds to be [funded or] refunded and all expenses incident to the calling, retiring, or paying of the outstanding bonds and the issuance of the [funding or] refunding bonds. These expenses include:

(a) The difference in amount between the par value of the [funding or] refunding bonds and any amount less than par for which the refunding bonds are sold.

(b) The amount of interest upon the [funding or] refunding bonds from the date of their sale to the date of payment of the bonds to be [funded or] refunded or to the date upon which the bonds to be [funded or] refunded will be paid pursuant to their call or pursuant to any agreement with the holders of such bonds.

(c) Any premium required to be paid to call or retire the outstanding bonds.

(d) The interest accruing on the outstanding bonds to the date of their call or retirement.

SEC. 57. Section 33147 of said code is amended to read:

33147. Bonds issued pursuant to this part are negotiable instruments [, except when registered in the name of a registered owner].

SEC. 58. Section 33148 of said code is amended to read:

33148. Prior to the issuance of any bonds, the authority may commence a special proceeding in the superior court of the county *in which the city is located* to determine the right to issue the bonds and their validity. The proceeding shall be instituted and prosecuted in the manner provided by Sections 22670 to [22684] *22674*, inclusive, *and 22676 to 22684, inclusive*, of the Water Code. These sections apply to and govern all proceedings instituted pursuant to this part. *However, in so applying such provisions, all references to a district shall be understood as references to the authority; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against the city and the State of California.* The proceeding is in rem and the judgment rendered therein is conclusive against all persons, the city, and the State.

SEC. 59. Section 33250 of said code is amended to read:

33250. [The authority shall fix the rates, fees, and other charges for the use by any person or public or private agency of any of the projects, services, or facilities furnished, acquired, constructed, or completed pursuant to this part] *The authority shall have power, and it shall be its duty, fully and faithfully to keep and perform any covenant it may make pursuant to Section 33116 with or for the benefit of the holders of any bonds with respect to the fixing and maintaining of fees, tolls, rentals or other charges, and each and every other covenant it may make, or obligation it may assume, pursuant to any provision of this part, and it shall be the duty of each and every officer, representative and employee of the authority to do and perform each and every act necessary or appropriate for such keeping and performance by such authority of every such covenant and obligation*

SEC. 60. Section 33400 of said code is amended to read:

33400. In addition to all other rights conferred on an obligee and subject only to any contractual restrictions binding upon him, an obligee may:

(a) By mandamus, suit, action, or proceeding at law or in equity, compel the authority and its members, officers, agents or employees to perform every term, provision, and covenant contained in any contract of the authority with or for the benefit of the obligee, to carry out all covenants and agreements of the authority, and to fulfill all duties imposed upon the authority by this part.

(b) By suit, action, or proceeding in equity, enjoin any acts or things which are unlawful [or] *and* in violation of any of the rights of the obligee.

SEC 61 Nothing in this act shall in anywise invalidate any step or proceeding whatsoever heretofore taken, or in process of being taken, under the Parking Law of 1949. Without limiting the generality of the foregoing provision nothing herein shall require any new election in the case of any city in which an election has been held pursuant to Section 4 of said Parking Law of 1949 on the question as to whether or not the legislative body, or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for in said law, and at such election a majority of the voters voting upon the proposition shall have voted in favor of such proposition.

SEC. 62. Sections 32514, 32659, 32660, 32800, 32957, 33251, 33252, 33253, 33254, 33255, 33401, 33402, 33550, 33551, 33113, 33131, 33132, 33139, and 33144 of said code are repealed."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 21, inclusive; and strike out all of pages 2 to 19, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2806 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloved, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—58.

NOES—None.

Assembly Bill No. 2806 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 964—An act to amend Sections 2824 and 5720 of the Streets and Highways Code, relating to special assessment proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 964?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 21, 1951, between lines 13 and 14, insert "The person required to prepare the report shall complete and file the same with the legislative body within one year from the date such person is directed to prepare the report."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 964 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 964 ordered enrolled.

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1266?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "publications", and insert "publication".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 1266 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 1266 ordered enrolled.

Assembly Bill No. 1472—An act providing for the constitution of the municipal court in a district embracing the City of Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1472?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Orange, Tustin and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of", and insert "Cities of Orange, Tustin and".

Amendment No. 3

On page 1 of said bill, as amended, after line 22, insert
"SEC. 2. The sessions of the court shall be held in the City of Santa Ana."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1472 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 1472 ordered enrolled.

Assembly Bill No. 1865—An act to amend Section 53601 of the Government Code, relating to the powers of cities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1865?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 6, 1951, strike out "cities", and insert "local agencies".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1865 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1865 ordered enrolled.

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716, 771 and 773 of said code, and to repeal Sections 715, 772 and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2363?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Assembly May 30, 1951, strike out "Suspension by Trust."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2363 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2363 ordered enrolled.

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2597?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "nine thousand dollars ($9,000)", and insert "nine thousand two hundred forty dollars ($9,240)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2597 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 2597 ordered enrolled.

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2776?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "its officers and employees who", and insert "the officers and employees of the district as".

Amendment No. 2

On page 1, line 8, of said bill, following the period, insert "Contracts of group insurance or systems of group annuities which include benefits to dependents of officers and employees are contracts of group insurance or systems of group annuities for the benefit of officers and employees for the purposes of this section."

Amendment No. 3

On page 1, line 5, of said bill, before "for", insert ", or both,".

Amendment No. 4

On page 1, line 14, of said bill, before "with", insert ", or both,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2776 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 2776 ordered enrolled.

Assembly Bill No. 2800—An act to amend Section 19583.5 of the Government Code, relating to state civil service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2800?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 7, 1951, after the period, insert "The employee against whom such charges are filed shall have a right to answer as provided in this article."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2800 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay,

Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2800 ordered enrolled.

Assembly Bill No. 3414—An act to add Sections 1005.1 and 1005.2 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3414?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "such right", and insert "any right to extract the ground water".

Amendment No. 2

On page 1, line 12, of said bill, as amended, after the period, insert "Any user of water from a source referred to in Section 1005 of this code who seeks the benefit of this Section 1005.1, shall file with the Division of Water Resources of the Department of Public Works, on or before December 31st of each calendar year, a statement of the amount of water from said source so applied to reasonable beneficial use pursuant to the provisions of this section during the next preceding water year (November 1st to October 31st), and such user cannot claim the benefit of this section for any water year for which such statement is not so filed."

Amendment No. 3

On page 2, line 2, of said bill, as amended, strike out "such water from an interstate river", and insert "water from such source referred to in Section 1005".

Amendment No. 4

On page 2, line 5, of said bill, as amended, after the period, insert "Any user of water from a source referred to in Section 1005 of this code who seeks the benefit of this Section 1005.2 with respect to the use of such water occurring prior to the effective date of this section, shall file with the Division of Water Resources of the Department of Public Works, within ninety (90) days from said effective date, a statement of the amounts of reduction in his extraction of ground water as the result of water from said source having been so applied to reasonable beneficial use prior to said effective date to permit the replenishment of such ground water and said amounts shall be segregated and shown for each water year (November 1st to October 31st) during which such use occurred prior to the effective date of this section. Any user of water from a source referred to in Section 1005 of this code who seeks the benefit of this Section 1005.2 with respect to the use of such water occurring subsequent to the effective date of this section, shall file with the Division of Water Resources, on or before December 31st of each calendar year, a statement of the amount of reduction in his extraction of ground water as the result of water from said source having been so applied to reasonable beneficial use during the next preceding water year (November 1st to October 31st) to permit the replenishment of such ground water. Such user cannot claim the benefit of this section for any water year for which such statement is not so filed."

Amendment No. 5

On page 1, lines 5 and 6 of the printed bill, as amended in the Senate on May 25, 1951, strike out "source referred to in Section 1005 of this code", and insert "nontributary source".

Amendment No. 6

On page 1, lines 12 and 13, of said bill, as amended, strike out "user of water from a source referred to in Section 1005 of this code", and insert "such user of water from an alternate nontributary source"

Amendment No. 7

On page 2 of said bill, as amended, between lines 3 and 4, insert

"The provisions of this section apply only as to the cessation of, or reduction in, the extraction of ground water within that area in this State defined by the exterior boundaries of the Counties of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, and San Bernardino."

Amendment No. 8

On page 2, lines 8 and 9, of said bill, as amended, strike out "a source referred to in Section 1005 of this code", and insert "an alternate nontributary source".

Amendment No. 9

On page 2, lines 11 and 12, of said bill, as amended, strike out "source referred to in Section 1005", and insert "alternate source".

Amendment No. 10

On page 2, lines 15 and 16, of said bill, as amended, strike out "user of water from a source referred to in Section 1005 of this code", and insert "such user of water from an alternate source".

Amendment No. 11

On page 2, line 21, of said bill, as amended, strike out "his", and insert "the".

Amendment No. 12

On page 2, line 22, of said bill, as amended, after "said", insert "alternate".

Amendment No. 13

On page 2, lines 27 and 28, of said bill, as amended, strike out "user of water from a source referred to in Section 1005 of this code", and insert "such user of water from an alternate source".

Amendment No. 14

On page 2, line 33, of said bill, as amended, strike out "his", and insert "the".

Amendment No. 15

On page 2, line 34, of said bill, as amended, after "said", insert "alternate".

Amendment No. 16

On page 2, of said bill, as amended, between lines 38 and 39, insert

"The provisions of this section apply only as to the cessation of, or reduction in, the extraction of ground water within that area in this State defined by the exterior boundaries of the Counties of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, and San Bernardino."

Amendment No. 17

On page 2, line 39, of said bill, as amended, after "SEC. 3.", insert "The Legislature finds and declares that this act is necessary to the solution of a problem arising out of the following unique circumstances:

The water supplies in the underground basins in the arid southern part of this State are being rapidly depleted by excessive pumping during a period of prolonged drought conditions. Because of the geological conditions peculiar to this area, further excessive pumping is certain to destroy the usefulness of these basins.

This act is intended to save these water basins by protecting users of water from the basins who cease or reduce the extraction of water therefrom and use, in lieu thereof, water from an alternate nontributary source, thereby preventing further depletion of the water in the basins.

SEC. 4."

Amendment No. 18

On page 2, line 48, of said bill, as amended, strike out "4", and insert "5".

Amendment No. 19

On page 3, line 10, of said bill, as amended, strike out "sources referred to in Section 1005 of the Water Code", and insert "alternate nontributary sources".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3414 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloved, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 3414 ordered enrolled.

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3432?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 30, 1951, strike out lines 5 to 11, inclusive, and insert "Provided, however, that after an award has been made finding that there was employment and the time to petition for a rehearing or reconsideration or review has expired or such petition if made has been determined, the commission upon a petition to reopen shall not have the power to find that there was no employment."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3432 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 3432 ordered enrolled.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs. Cooke, Chapel, Hawkins, and Hinckley asked for, and were granted, unanimous consent that their names be placed upon the roll call, on concurrence in Senate amendments to Assembly Bill No. 3432, and that they be recorded as voting "Aye".

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

The question being: Shall the Assemly concur in the following Senate amendment to Assembly Bill No. 1236?

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "of", and insert "or".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1236 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1236 ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1626—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read third time, and ordered passed on file.

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 693, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 435

Mr. Davis asked for, and was granted unanimous consent to take up Senate Bill No. 435, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 435

Senate Bill No. 435—An act to amend Section 4127 of, and to add Section 4128 to, the Public Resources Code, relating to the closure to entry of lands during the existence of an extreme fire hazard emergency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs Porter, Rosenthal, and Shaw asked for, and were granted, unanimous consent that their names be placed upon the roll call on Senate Bill No. 435, and that they be recorded as voting "aye".

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 296—An act to amend Section 1277 of the Fish and Game Code, relating to deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 60—An act to add Section 3102.5 to the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rumford, and Thomas—44.

NOES—Babbage, George D. Collins, Conrad, Doyle, Lowrey, Shaw, Smith, and Waters—8.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3207
Assembly Bill No. 3457

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to the inactive file.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 858

Has has the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No. 1535
Senate Bill No. 675

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 861

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Davis:

House Resolution No. 222

Relative to directing the Assembly Interim Committee on Fish and Game to undertake an investigation

WHEREAS, There appears to be considerable difference of opinion between the sportsmen of the upper Sacramento River and the State Fish and Game Commission concerning the value of raising steelhead trout in hatcheries for stocking purposes; and

WHEREAS, The recreational fisheries in the upper Sacramento River represent an investment in excess of $12,000,000; and

WHEREAS, The U. S. Fish and Wildlife Service apparently is willing to use a portion of its facilities at the Coleman Hatchery to co-operate with the State Fish and Game Commission in finding ways to improve angling conditions in the Sacramento River; and

WHEREAS, The State Fish and Game Commission has refused to allow the taking of steelhead trout eggs from fish caught in the salmon spawn taking traps for the purpose of conducting experiments; said commission insisting that the required steelhead eggs be obtained from another state, and that the Fish and Wildlife Service also co-operate scientific studies of the results obtained; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fish and Game is directed to investigate the problems involved in the foregoing differences of opinion and report its findings to the next regular session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that a picnic luncheon for the wives of the Members of the Legislature will be held this noon in Land Park under the sponsorship of the Pals Club, and that children will be welcome.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Parker, Porter, Rumford, Smith, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 640, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Munnell, Porter, Rumford, Smith, Waters, and Mr Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF COMMITTEE ON RULES BE PLACED UPON MORNING ROLL CALL

By order of the Speaker, and by unanimous consent, the names of members attending the meeting of the Committee on Rules, at this time, were ordered placed upon the morning roll call as follows:

Messrs. Kirkwood, Silliman, Moss, Rosenthal, McCarthy, and Tomlinson.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 620—An act to add Section 157.5 to the Vehicle Code, relating to vehicles and registration and license fees therefor.

Bill read third time.

Demand for Previous Question

Messrs. Lowrey, Hansen, Kelly, Henderson, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 620.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Gubser, Hawkins, Henderson, Kelly, Kilpatrick, Lindsay, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Stewart, and Mr. Speaker—41.

NOES—Babbage, Collier, Davis, Geddes, Hagen, Hansen, Klocksiem, Lipscomb, Lowrey, Lyon, Rumford, Shaw, and Smith—13.

Bill ordered transmitted to the Senate.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1474

Mr. Sam L. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1474, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the City of Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1474?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Anaheim, La Habra, Brea, Placentia and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of", and insert "Cities of Anaheim, La Habra, Brea, Placentia and".

Amendment No. 3

On page 1 of said bill, as amended, after line 22, insert

"SEC 2. The sessions of the court shall be held in the City of Fullerton"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1474 by the following vote:

AYES—Belotti, Conrad, Shaw, and Stewart—4.

NOES—Babbage, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lindsay, Luckel, Maloney, McCollister, McMillan, Morris, Munnell, Parker, Rumford, Stanley, Waters, and Mr. Speaker—39.

Appointment of Committee on Conference Concerning Assembly Bill No. 1474

The Speaker announced the appointment of Messrs. Waters, Babbage, and Conrad as a Committee on Conference concerning Assembly Bill No. 1474.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 39

Mr. Collier asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Concurrent Resolution No. 39, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 39?

Amendment No. 1

On page 1, line 9, of the printed measure, as amended in the Assembly on May 10, 1951, after "excellent", strike out "and"

Amendment No. 2

On page 1, line 10, of said measure, strike out "liberal"; and in line 10, after "the", strike out "minimum".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 39 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Munnell, Rumford, Smith, Stewart, and Waters—41.

NOES—None.

Assembly Concurrent Resolution No. 39 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 848

Mr. Cloyed asked for, and was granted unanimous consent to take up Senate Bill No. 848, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 848

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 12, 1951, strike out lines 1 and 2, inclusive, and insert "such ferry."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2502

Mr. Dolwig asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2502, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2502?

Amendment No. 1

In line 5 of the printed bill, strike out "Any", and insert "On and after January 1, 1952 any".

Amendment No. 2

In line 11 of said bill, as amended, following the end of the sentence, insert "The provisions of this section shall not be applicable to the computation of an award for unemployment compensation disability benefits; however, the establishment of a valid claim for unemployment compensation disability benefits shall not constitute a valid claim for unemployment compensation benefits unless the claimant has sufficient wages to entitle the claimant to an award under the provisions of this section."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 2.14 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Burkhalter, Coats, Sam L. Collins, Davis, Dickey, Dunn, Evans, Gaffney, Geddes, Grunsky, Kirkwood, Lowrey, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Rosenthal, Shaw, Sillman, Thomas, and Tomlinson—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2942

Mr. George D. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2942, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2942—An act to amend Sections 472 and 586 of the Vehicle Code, relating to stopping, standing, or parking of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2942?

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in the Assembly on May 16, 1951, after "ordinance", insert "or resolution".

Amendment No. 2

On page 2, line 34, of the printed bill, as amended in the Senate on May 23, 1951, strike out all of subsection (k) to the end of said page.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2942 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Thomas—52.
NOES—None.

Assembly Bill No. 2942 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2943

Mr. George D. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2943, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2943?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "Railroad", and insert "Public Utilities".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2943 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—53.
NOES—None.

Assembly Bill No. 2943 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 997

Mr. Grant asked for, and was granted, unanimous consent to consider the Governor's veto to Assembly Bill No. 997, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 997—An act to provide for the number and succession of judges in municipal court judicial districts in Los Angeles County.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 997 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Chapel—1.
NOES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis,

Dickey, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—55

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2252

Mr. Rumford asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2252, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5, 29003.6, 29015 and 29015.1 to, the Health and Safety Code, relating to dangerous drugs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2252?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 31, 1951, after "(h)", insert "and"; and after "(i)", strike out ", and (*l*)".

Amendment No. 2

On page 3, line 22, of said bill, as amended, after "Section", strike out "29015", and insert "29015.1"

Amendment No. 3

On page 3 of said bill, as amended, strike out lines 29 to 35, inclusive.

Amendment No. 4

On page 3, line 36, of said bill, as amended, strike out "8", and insert "7".

Amendment No. 5

On page 4, line 8, of said bill, as amended, strike out "9", and insert "8".

Amendment No. 6

In line 2 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out ", 29015".

Amendment No. 7

On page 3, line 24, of said bill, as amended, strike out "29015", and insert "29015.1".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2252 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—56.

NOES—None.

Assembly Bill No. 2252 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 282

Mr. Stewart asked for, and was granted, unanimous consent to consider the Governor's veto to Assembly Bill No. 282, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professional Code, relating to dry cleaning.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 282 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Chapel—1.

NOES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—57.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1155

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 1155, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1155

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 24, 1951, before the comma, insert "and Section 431 of the Education Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, between lines 8 and 9, insert

"SEC. 2 Section 431 of the Education Code is amended to read:

431. The annual salary of the county superintendent of schools of a county of the thirty-first class is [five thousand six hundred dollars ($5,600)] *seven thousand four hundred dollars ($7,400)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 3

On page 2, line 9, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO RESCIND ACTION ON APPROVAL OF JOURNAL FOR THURSDAY, JUNE 14TH

Mr. Brown moved to rescind the action whereby the Assembly, on Monday, June 18th, approved the Journal for Thursday, June 14th, as corrected by the Minute Clerk.

Mr. Clarke seconded the motion.

Motion carried.

MOTION TO RESCIND ACTION ON ADOPTION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1771

Mr. Brown moved to rescind the action whereby the Assembly, on Thursday, June 14, adopted the report of the Committee on Conference concerning Assembly Bill No. 1771.

Motion carried by unanimous consent.

Assembly Bill No. 1771 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 544—An act to amend Section 103a of the Code of Civil Procedure, relating to justice court clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 545—An act to amend Section 103¾ of the Code of Civil Procedure, relating to clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3165

Mr. Coats asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3165, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3165—An act to add Section 12516 to the Business and Professions Code, relating to weighing of livestock.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3165?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 5 to 9, inclusive, and insert

"12516. Any person auctioning livestock for sale by weight shall locate the weighing device upon which said livestock is weighed so that during the weighing process the scale indications will be readily and clearly visible."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3165 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Smith, Stewart, Thomas, and Waters—59.

NOES—None.

Assembly Bill No. 3165 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1002—An act to add Section 6005 to the Penal Code, relating to trials of persons committed to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Smith, Stanley, Thomas, and Waters—53

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 30—Relative to the need for materials for construction of additional school and college buildings in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—58.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 72—Relative to State Park System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—51.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 295—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—67.
NOES—None.

Bill ordered transmitted to the Senate

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that an Assistant Sergeant-at-Arms has been stationed at the door of the Rules Committee Room and that members will be sent for when their House resolutions are to be heard so they will not have to remain away from the floor for a long period of time.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 223

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

The Pacific Telephone and Telegraph Company (tolls)	$670.45
The Pacific Telephone and Telegraph Company (service, equipment and tolls)	100.25
The Pacific Telephone and Telegraph Company (tolls)	52.60
Department of Finance (supplies)	86.53
Department of Finance (typewriter service)	3.68
Department of Finance (toll charges)	1.40
Cascade Towel Supply (towel service)	68.20
Clarke Water & Ice Company (drinking water)	7.91

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Hagen:

House Resolution No. 224

Relative to the creation of the Assembly Interim Committee on Ground Water Rights

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Ground Water Rights is hereby created and authorized and directed to ascertain, study and analyze all facts relating to rights to ground waters and the need for statutory adjudication of water rights and other legislation relating to such rights, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 105: By Mr. Cloyed—Relative to advertising by Dairy Industries Advisory Board.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1820—An act to amend Section 25 of the Fish and Game Code, relating to the leasing of property and the establishment of fish breederies or hatcheries and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 14, 1951, strike out lines 17 to 24, inclusive, and insert

"There shall be one additional delegate from each of the congressional districts in the State, to be selected as follows:

(j) Where the congressional district consists of one entire county, the delegate shall be the chairman of the county central committee.

(k) Where the congressional district consists of several entire counties, or of one or more entire counties and a part of one or more other counties, the delegate shall be elected by all the members of the county central committees of the party residing in the district. Each such committeeman shall have one vote and the person receiving the greatest number of votes shall be the delegate.

(l) Where there is more than one congressional district in a county, the chairman of the county central committee shall be the delegate from the congressional district in which he resides, and there shall be one delegate from each of the other congressional districts within the county to be elected by all the members of the county central committee residing in the district. Each such committeeman shall have one vote and the person receiving the greatest number of votes shall be the delegate."

Amendment read.

Roll Call Demanded

Messrs. Conrad, Hawkins, and Burke demanded a roll call.

The roll was called, and the amendment offered by Mr. Conrad to Assembly Bill No. 149 adopted by the following vote:

AYES—Babbage, Beck, Brady, Burke, Burkhalter, Cloyed, Collier, Condon, Conrad, Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Klocksiem, Lanterman, Lipscomb, Luckel, Maloney, McGee, Meyers, Morris, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—36

NOES—Belotti, Berry, Brown, Chapel, Clarke, Coats, George D. Collins, Connolly, Cooke, Davis, Dolwig, Dunn, Hagen, Kilpatrick, Lyon, McCollister, McFall, Munnell, and Rumford—19.

Bill ordered reprinted, and re-engrossed.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 825

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 825, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 825

Senate Bill No. 825—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Coats:

House Resolution No. 225

Relative to requesting the Joint Fact-Finding Committee on Highways, Streets and Bridges to study problems involved in construction of a bridge across the Feather River near the City of Live Oak

Resolved by the Assembly of the State of California, That the Joint Fact-Finding Committee on Highways, Streets and Bridges, or any other interim committee of the Legislature having duties similar to those indicated by the title of the above named committee, is requested to make a study, and report thereon to this Legislature, on or before the commencement of the 1953 Regular Session, regarding the problems involved in the construction of a bridge across the Feather River near the City of Live Oak, together with approaches and roads connecting such bridge with State Highway Routes Nos. 3 and 87, including such specific problems as:

1. The need for, and desirability of, such bridge.
2. The size and type of bridge needed to serve the anticipated traffic.
3. The best location for such bridge, its approaches and connecting roads.
4. The estimated cost of the construction of such bridge, approaches and roads
5. Possible means of financing the construction of such works through funds derived from Federal, State or local Governments or from other sources.
6. Prospects for inclusion of the route of such works in the State Highway System.
7. Any other problems involved in the construction or maintenance of such works.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Davis:

House Resolution No. 226

Relative to a study concerning establishing the Mount Shasta area as a state park, by Assembly Interim Committee on Public Lands, Grazing and Forest Practices

WHEREAS, The availability of lands for the expansion of recreational facilities for the people of the State is advisable; and

WHEREAS, Mount Shasta in Siskiyou County is the second highest mountain in California, and famed for its majestic beauty and scenery; and

WHEREAS, It is generally agreed that the area has phenomenal adaptability for year-round recreational activity; and

WHEREAS, The present ownership of the sections of land is checkerboarded among old land grants, public domain, and individuals, too complicated for co-ordinated recreational development of the area, and

WHEREAS, This situation deprives the people of the optimum benefits of the area; recreational development of the area would benefit the local population and tourists, as well as transportation enterprises; now, therefore, be it

Resolved by the Assembly of the State of California. That the Assembly Interim Committee on Public Lands, Grazing and Forest Practices is hereby authorized and directed to ascertain, study and analyze all facts relating to the feasibility of establishing the Mount Shasta Area as a State Park, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly at the commencement of the 1953 General Session, including in the reports its recommendations for appropriate legislation

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 806

Mr. Condon asked for, and was granted, unanimous consent to take up his notice of motion to reconsider Senate Bill No. 806, temporarily passed on file.

MOTION TO RECONSIDER SENATE BILL NO. 806

In compliance with a notice given on a previous day, Mr. Condon moved that the vote whereby Senate Bill No. 806 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 3.14 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Connolly, Crowley, Dickey, Dills, Gubser, Hahn, Kirkwood, Levering, Lindsay, McCarthy, Moss, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kelly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 7, 1951, strike out "Division 2 of Part 6", and insert "Part 6 of Division 2".

Amendment No. 2

On page 1, line 18, of said bill, strike out "Division 2 of Part 6 of", and insert "Part 6 of Division 2 of".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1085—An act to amend Sections 65131 and 65270 of the Government Code, relating to conservation and planning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rumford, Stanley, Thomas, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 465—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—51.

NOES—Babbage, Lowrey, Luckel, and McFall—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 92

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 92, out of order.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 92

Senate Concurrent Resolution No. 92—Relative to Santa Barbara Convention of Fraternal Order of Eagles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 639

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 639, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 639

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on April 30, 1951, strike out "twenty-five", and insert "ten".

Amendment No. 2

On page 1, line 10, of said bill, strike out "($25,000)", and insert "($10,000)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 4

On page 1, line 15, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 5

On page 2, line 30, of said bill, strike out "twenty-five", and insert "ten".

Amendment No. 6

On page 2, line 31, of said bill, strike out "($25,000)", and insert "($10,000)"

Amendment No. 7

On page 2, line 35, of said bill, strike out "fifty", and insert "twenty"

Amendment No. 8

On page 2, line 36, of said bill, strike out "($50,000)", and insert "($20,000)"

Amendment No. 9

On page 2, line 37, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)"

Amendments read.

Roll Call Demanded

Messrs. Gaffney, Davis, and Grunsky demanded a roll call.

The roll was called, and the amendments offered by Mr. Grunsky to Senate Bill No. 639 adopted by the following vote:

AYES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—37.

NOES—Beck, Berry, Burkhalter, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Gaffney, Lowrey, Meyers, Munnell, Niehouse, Parker, Porter, Shaw, and Thomas—18.

Request for Unanimous Consent That All Amendments at Desk Be Considered Before Senate Bill No. 639 Is Reprinted

Messrs. Grunsky and Gaffney asked for, and were granted, unanimous consent that all proposed amendments pending at the desk be considered prior to sending Senate Bill No. 639 to be reprinted.

Consideration of Further Amendments to Senate Bill No. 639
Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 30, 1951, after "Act", insert ", Section 12 of the Household Goods Carriers Act,".

Amendment No. 2

In line 2 of the title of said bill, strike out "and 3634", and insert "3634, and 5161".

Amendment No. 3

In line 3 of the title of said bill, strike out "City".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, between lines 21 and 22, insert

"SEC. 3.5. Section 12 of the Household Goods Carriers Act is amended to read:

Sec. 12. The commission shall, in granting permits pursuant to this act, require the household goods carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [twenty-five] *ten* thousand dollars [($25,000)] *($10,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the household goods carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [fifty] *twenty* thousand dollars [($50,000)] *($20,000)*; and protection in an amount of not less than [ten] *five* thousand dollars [($10,000)] *($5,000)* for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

The protection required under this section shall be evidenced by the deposit with the commission covering each vehicle used or to be used under the permit applied for,

(1) Of a policy or policies of insurance, issued by a company licensed to write such insurance in the State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State.

With the consent of the commission a copy of an insurance policy, certified by the company issuing it to be a true copy of the original policy, or a photostatic copy thereof, or an abstract of the provisions of the policy, or a certificate of insurance issued by the company issuing the policy, may be filed with the commission in lieu of the original or a duplicate or counterpart of the policy.

The protection against liability shall be continued in effect during the active life of the permit The policy of insurance or surety bond shall not be cancelable on less than thirty (30) days written notice to the commission.

The commission may establish such rules as are necessary to enforce this section "

Amendment No. 5

On page 3 of said bill, between lines 27 and 28, insert

"SEC 6 5. Section 5161 of said code is amended to read:

5161 The commission shall, in granting permits pursuant to this chapter, require the household goods carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [twenty-five] *ten* thousand dollars [($25,000)] *($10,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the household goods carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [fifty] *twenty* thousand dollars [($50,000)] *($20,000)* ; and protection in an amount of not less than [ten] *five* thousand dollars [($10,000)] *($5,000)* for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine."

Amendment No. 6

On page 3, line 28, of said bill, strike out "and 6", and insert "6, and 6 5".

Amendment No. 7

On page 3, line 32, of said bill, after "Act", insert "and Section 12 of the Household Goods Carriers Act".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 13—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.50 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Davis:

House Resolution No. 227

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

WHEREAS, It appears from complaints received by various Members of the Assembly from their constituents that the present system of licensing automobiles is expensive, cumbersome and inefficient; and

WHEREAS, A study and survey should be made to determine the feasibility of permanent license plates, of improved methods of bookkeeping and machine indexing, and of revising license plates to reduce the number of characters thereon in an effort to simplify the present numbering system; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy be and is directed to investigate the present auto license system so as to effect reforms therein leading to greater simplicity, greater efficiency, and less expense

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Lanterman:

House Resolution No. 228

Relative to noncertificated public school employees

WHEREAS, It is in the best interests of the Educational System of this State that a practicable maximum percentage of public school employees be fully certificated in the positions they fill; and

WHEREAS, A clear picture of the present situation in this State would be of aid to the Legislature; now, therefore be it

Resolved by the Assembly of the State of California, That the Director of Education and the Board of Education are hereby requested to make a survey to determine the ratio of certificated to noncertificated employees in the Public School System; and be it further

Resolved, That a report of this survey be made, together with any explanation deemed necessary to the Assembly at the beginning of the 1953 General Session; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Education and to the members of the Board of Education.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 290—An act to add Sections 9540.5, 9540.51, 9540.52, 9540.53, 9540.54, and 9540.55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners;

Assembly Bill No. 676—An act to amend Section 67 of, and to repeal Section 39.1 of, and add a new Section 39.1 to, the Unemployment Insurance Act of the State of California, relating to unemployment insurance;

Assembly Bill No. 682—An act to amend Section 20831 of, and to add Sections 20831.1, 20834.1, and 20834.2 to, the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service,

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 971—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors;

Assembly Bill No. 1097—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service;

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1228—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners;

Assembly Bill No. 1231—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners;

Assembly Bill No. 1233—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1237—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners,

Assembly Bill No. 1238—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners;

Assembly Bill No. 1239—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1265—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts;

Assembly Bill No. 1267—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts;

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1633—An act to amend Sections 51440 and 51441, and to repeal Sections 50915, 51442, 51443, 51444, and 51445, of the Water Code, relating to reclamation districts;

Assembly Bill No. 1634—An act to amend Section 51686 of, and to add Section 51685 5 to, the Water Code, relating to reclamation districts;

Assembly Bill No. 1731—An act to amend Sections 18 and 20 of the State Water Resources Act of 1945, relating to state assistance on flood control projects;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1783—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges;

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district;

Assembly Bill No. 2286—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2449—An act to authorize the exchange by the State Park Commission, with the approval of the Director of Finance, of certain real property in the County of San Mateo;

Assembly Bill No. 2577—An act to amend Section 20045 of the Water Code, relating to certification of bond issues;

Assembly Bill No. 2621—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2622—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913;

Assembly Bill No. 2719—An act to regulate the parking of vehicles by the operators of off-street parking facilities;

Assembly Bill No. 3239—An act to amend Section 31526 of the Government Code, relating to retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3411—An act to add Section 25465 to the Government Code, relating to contracts for public works,

Assembly Bill No. 3418—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class;

Assembly Bill No. 3446—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 88—Relative to directing the Public Utilities Commission to apportion the costs for the construction of a certain grade separation on Los Feliz Boulevard in Los Angeles County;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of June, 1951, at 3 p m

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO AMEND STANDING RULES

Mr. Kirkwood asked for, and was granted unanimous consent to take up his notice of motion to amend the Standing Rules, temporarily passed on file.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr. Kirkwood moved that the Standing Rules of the Assembly be amended, and that Rule No. 11 of the Standing Rules be amended to read:

"Duties of the Speaker Pro Tempore

11 The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. *He shall, ex officio, be a member of the Committee on Rules and shall act as chairman thereof in the absence of the Speaker, but shall have no right to vote on any matter before said committee except that he shall have the right to vote when the Speaker is absent."*

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2502

At 3 52 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2502 by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—42.

NOES—Beck, Berry, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Luckel, Maloney, McMillan, Munnell, Niehouse, Parker, Rosenthal, Rumford, and Thomas—29.

Assembly Bill No. 2502 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER SENATE BILL NO. 806

At 3.57 p m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 806 refused reconsideration by the following vote:

AYES—Beck, Berry Brady, Brown, Coats, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Evans, Gaffney, Geddes, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lanterman, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, and Thomas—29

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Morris, Niehouse, Rumford, Shaw, Stanley, and Waters—36.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Independent Practical Nurses, Los Angeles, urging defeat of Senate Bill No. 1625, was received, and ordered filed with the Secretary of State.

By Speaker Sam L. Collins:

The following resolution was received, read, and ordered printed in the Journal:

CALIFORNIA STATE BOARD OF AGRICULTURE
SACRAMENTO

Resolution

RE: Continuing Joint Legislative Committee on Agriculture and Livestock Problems

WHEREAS, The agriculture and livestock industries of California have, during the past six years, benefited immeasurably from the wise counsel and diligent assistance given by the Joint Legislative Committee on Agriculture and Livestock Problems on many important features requiring legislation directed toward solving the difficulties involved after careful and unbiased analysis on subjects such as: Revision of hide and brand laws; codification of dairy laws; reasonable regulation of custom application of injurious pest control materials; uniformity in procedures governing agricultural pest control operators both through use of aircraft and ground equipment; sound program for agricultural research; progressive measures establishing responsibility of farm labor contractors, etc.; and

WHEREAS, The aforesaid committee has been cognizant of the serious threat to the State's crop and animal production through the menace of Oriental fruit fly and other fruit flies from Hawaii and foot-and-mouth disease from Mexico, resulting in published reviews pertinent to each of these situations, including valuable recommendations for cooperative action by Federal, State, and local governmental agencies to prevent the introduction into and the spread within California; and

WHEREAS, The issuance of timely reports on plant parasitic nematodes; egg marketing; farm labor; beet leafhopper suppression; milk control law questions; etc., has been the means of advising producers of methods for coping with such problems with or without legislation or financial support from the State; and

WHEREAS, Recognizable savings of state funds through basic recommendations have resulted from the interest of committee members in studying the needs of agricultural educational plants supported by funds allocable by the Legislature and in reviewing the propriety of institutional farm structures and equipment; now, therefore, be it

Recommended by the California State Board of Agriculture, meeting at Sacramento, California, on June 18, 1951, That the Joint Legislative Committee on Agriculture and Livestock Problems be continued in order that government, the farming industry of California, and the management, business, and labor generally associated directly or indirectly with our agricultural economy may obtain such comparable aid in the future.

Respectfully submitted.

W. C. JACOBSON, Secretary

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 783 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Fleury asked for, and was granted, unanimous consent that Senate Bill No. 783 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Judiciary.

ANNOUNCEMENT

Mr. Grant announced a meeting of the Los Angeles Delegation at his desk upon adjournment.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Geddes asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Finance and Insurance in Room 435, at 8 p.m., tonight.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4.10 p.m.—

Rules, in Lounge.

At 7 p.m.—

Revenue and Taxation—Subject: Senate Bill No. 919, in Room 3186.

At 8 p.m.—

Fish and Game, in Room 3184.
Finance and Insurance, in Room 435.
Judiciary, in Room 2170.

Today Upon Adjournment—

Ways and Means, in Room 435.
Agriculture, in Room 2170.
Public Health, in Room 3184.
Legislative Representation, in Room 319.
Industrial Relations, at desk of Mr. Levering.
Social Welfare, in Room 430.
Boards and Commissions, in Room 426.
Transportation and Commerce, in Room 432.

It was announced that the following committee would hold no meeting today:

Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Morris asked for, and was granted, unanimous consent that a letter of transmittal and Report of the California State Assembly Committee on "State-Federal Cooperation In The Discovery, Production, Transportation, Refining, and Use of Petroleum" was ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear at an early date.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Morris asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and report be printed, as a separate document, and that 200 copies be printed.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Brady, Moss, Fleury, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Georgeann Riordan, Mary Riordan, and Mary Louise Mitchell of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Leona Mullins, Mrs. Beryl Russell, and Mrs. Della Porter of Sacramento.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paula Butler of Beverly Hills, and Mrs. Leatha Mantzouranis and Mrs. Dorothy Bardue of Sacramento.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. Clifford Risshell of Oakland.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George Bennett of Los Angeles.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Wilbert L. Hindman, chairman of the Department of Political Science, University of Southern California, and the following group of West German Government officials and trainees: Miss Wendi von Neurath, Dr. Gerhard Huber, Dr. Richard Sturm, Alexander von Lengerke, Hans Spitznagel, Peter Pfefferkorn, and Henry Meinken.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ida Fay Farrell, Velma Farrell, Lee Farrell, and Mrs. Fay Collins of Bakersfield.

ADJOURNMENT

At 4.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Wednesday, June 20, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 20, 1951

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

We thank Thee for this new day and every blessing that comes with it. Teach us love, understanding, self-control and all the virtues that are offered to enrich our lives and promote human happiness.

"I would be friend of all—the foe, the friendless,
I would be giving and forget the gift;
I would be humble, for I know my weakness;
I would look up, and laugh, and love, and lift."—

AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hollibaugh, further reading of the Journal of the previous legislative day was dispensed with

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER. Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3447

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3447—An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred.

Senate Bill No. 1545

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1545—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Senate Bill No. 1544
Senate Bill No 1637
Senate Bill No 1639

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1544—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 11, of the printed bill, after "located" strike out the period, and insert "by the landlord within 10 days after issuance of the license to the tenant by the board."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1637—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.5 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "53 5", and insert "53.55".

Amendment No. 2

On page 1, line 1, of said bill, strike out "53.5", and insert "53.55".

Amendment No. 3

On page 1, line 3, of said bill, strike out "53.5", and insert "53.55".

Amendment No. 4

On page 1, line 18, of said bill, strike out "band", and insert "brand".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1639—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, Section 1, line 22, of the printed bill, as amended in the Senate on May 28, 1951, strike out "some authorized", and insert "a bank, trust company, building and loan or savings and loan association, insurance company, title company, escrow agent, attorney at law, or some other authorized".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 949
Senate Bill No. 1093

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 1048
Senate Bill No. 1493
Senate Bill No 1609

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1048—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability, including a schedule for the determination of such percentages.

Bill read second time, and ordered to third reading.

Senate Bill No. 1493—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Bill read second time, and ordered to third reading.

Senate Bill No. 1609—An act to amend Section 111 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 77

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 77—An act to amend Section 11622 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Senate on June 7, 1951, strike out "or in"; and strike out all of line 3.

Amendment No. 2

On page 2, line 5, of said bill, as amended, after the comma and before "but", insert "*or in such minimum amounts as are necessary to provide exemption from the security requirements of Section 420 of the Vehicle Code or for which proof of ability to respond in damages or adequate protection against liability is otherwise required by law,*".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 1828

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1828—An act to amend Sections 11512.2 and 11512.3 of, and to add Section 11512.25 to the Insurance Code, relating to nonprofit hospital service plans.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, after "Valley", insert "; provided, however, that Section 600 of this code shall be applicable to those portions of said route added to the State Highway System by this section, the same as if said portions had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any such portion, or portions, of said route until the same has been laid out and constructed as a state highway."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 116
Senate Bill No. 847

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 736

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 736—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 4, lines 3 and 4, of the printed bill, as amended in the Senate on June 16, 1951, strike out "eight-sixteenths", and insert "over nine-sixteenths".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 776 — Senate Bill No. 1456
Senate Bill No. 1133 — Senate Bill No. 1536

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 776—An act to amend Section 9132 of the Public Resources Code, relating to soil conservation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1133—An act to amend Sections 50121, 50123, 50124, 50126, and 50128, and to repeal Sections 50122 and 50125, of the Water Code, relating to reclamation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1456—An act to amend Section 1300.12 of the Agricultural Code, relating to marketing of agricultural commodities.

Bill read second time, and ordered to third reading.

Senate Bill No. 1536—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of agricultural products and their agents.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 40

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 712

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 782
Assembly Bill No. 914

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 175
Assembly Bill No. 296
Assembly Bill No. 454
Assembly Bill No. 634
Assembly Bill No. 654
Assembly Bill No. 741
Assembly Bill No. 766
Assembly Bill No. 894
Assembly Bill No. 1118
Assembly Bill No. 1153
Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1368
Assembly Bill No. 1466
Assembly Bill No. 1561
Assembly Bill No. 1694
Assembly Bill No. 1746
Assembly Bill No. 1784
Assembly Bill No. 1937
Assembly Bill No. 1991
Assembly Bill No. 2134
Assembly Bill No. 2281
Assembly Bill No. 2283
Assembly Bill No. 2300
Assembly Bill No. 2384
Assembly Bill No. 2571
Assembly Bill No. 2947
Assembly Bill No. 3189
Assembly Bill No. 3245

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this passed, as amended,

Assembly Bill No. 249
Assembly Bill No. 592
Assembly Bill No. 594
Assembly Bill No. 751
Assembly Bill No. 981
Assembly Bill No. 1121
Assembly Bill No. 1232
Assembly Bill No. 1371
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 1490
Assembly Bill No. 1582
Assembly Bill No. 1744
Assembly Bill No. 2011
Assembly Bill No. 2140
Assembly Bill No. 2299
Assembly Bill No. 2484
Assembly Bill No. 3390
Assembly Bill No. 3422
Assembly Bill No 3450
Assembly Constitutional Amendment No. 40

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 96

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Watson, James E. Cunningham, and Williams as a Committee on Conference concerning:

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Anaheim, La Habra, Brea, Placentia and Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 229

Relative to the study of the administration and financing of highways, streets, and bridges by the Assembly Interim Committee on Revenue and Taxation

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of $200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions, and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local government; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditions is estimated in excess of three billion dollars, but only 1.4 billion dollars will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights of way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limited access construction under certain conditions, should be reviewed by the Legislature; and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature in its 1951 Regular Session considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but it appeared that further study should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-user tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, created by Senate Resolution 129 in the 1949 Regular Session of the Legislature, during the course of its inquiries found that several counties were apparently failing to comply with the spirit, if not the letter, of the Highway Act of 1947 with respect to county road administration, and, it, therefore, appears that the Legislature should have additional information on this subject in view of the fact that almost $50,000,000 is apportioned annually by the State to counties for road purposes; and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway users and such expenditures directly reduce the amount of funds available for highways and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of highway-user taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3. The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of state highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol;

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights-of-way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collection of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order: (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the state; (4) to accumulate and coordinate data which will provide a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time; (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the over-all development of an efficient Transportation System for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency.

4. The committee and its employees may meet and act any place within the State or within the United States to carry out the objects and purposes of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 861—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional voluntary contributions.

Bill read second time, and ordered to third reading.

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 4, 1951, after "of", insert ", and to add Section 20751(d) to,"

Amendment No. 2

On page 1, line 9, of said bill, after "tions", insert "made through the month next preceding the date through which interest is credited,".

Amendment No. 3

On page 1, line 10, of said bill, strike out "to" ; and strike out line 11, and insert ", to said month, both inclusive."

Amendment No. 4

On page 1 of said bill, between lines 11 and 12, insert

"SEC 2. Section 20751(d) is added to the Government Code, to read:

20751(d). All state miscellaneous members whose compensation is paid from monies in the Division of Architecture Revolving Fund or the Water Resources Revolving Fund, where such monies were derived from an appropriation from the General Fund."

Amendment No. 5

On page 1, line 12, of said bill, strike out "2", and insert "3".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10.15 a m , Mr Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments during the noon recess.

Subject: Senate Constitutional Amendment No 9

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2211—(As amended in Senate, June 6, 1951)—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety

Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 5, 1951, strike out "2206, 4704, 6407,".

Amendment No. 2

On page 2, line 20, of said bill, strike out "2206, 4704, 6407,".

Amendment No. 3

On page 2 of said bill, after line 45, insert

"(e) Districts which are excepted from this chapter by Sections 2206, 4704, and 6407 of the Health and Safety Code while such exceptions remain in effect."

HATFIELD	TOMLINSON
BYRNE	BROWN
WARD	STANLEY
Senate Committee on Conference	Assembly Committee on Conference

Above report ordered passed on file.

Hon. Richard H. McCollister Presiding

At 10 23 a m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953 5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050 5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1785?

Amendment No. 1

On page 12, line 18, of the printed bill, as amended in the Assembly on March 15, 1951, strike out "six thousand dollars ($6,000)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 2

On page 12, lines 32 and 33, of said bill, as amended, strike out "six thousand six hundred dollars ($6,600)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 3

On page 12, line 36, of said bill, as amended, strike out "five dollars ($5), and ten cents ($0 10)", and insert "six dollars ($6), and fifteen cents ($0.15)".

Amendment No. 4

On page 12, lines 39 and 40, of said bill, as amended, strike out "three dollars ($3), and ten cents ($0.10)", and insert "five dollars ($5), and fifteen cents ($0.15)".

Amendment No. 5

On page 12, line 42, of said bill, as amended, strike out "two dollars ($2)", and insert "three dollars ($3)".

Amendment No. 6

On page 29, line 4, of said bill, as amended, after "act", insert ", except Section 56,".

Amendment No. 7

On page 29, line 14, of said bill, as amended, after the period, insert "Section 56 of this act shall take effect on the ninety-first day after final adjournment of the 1951 General Session of the Legislature."

Amendment No. 8

On page 4, line 35, of the printed bill, as amended in the Senate on April 6, 1951, between "city" and "or", insert a comma.

Amendment No. 9

On page 20, line 39, of said bill, as amended, after "actually", insert "and necessarily".

Amendment No. 10

On page 21, line 31, of said bill, as amended, strike out second "session"

Amendment No. 11

On page 22, line 36, of said bill, as amended, strike out "day's", and insert "days'".

Amendment No. 12

In the title of the printed bill, as amended in the Senate on April 13, 1951, strike out lines 7, 8 and 9, and insert "27822, 27824, 28111, 29040, 29140, 29320,".

Amendment No. 13

In line 12 of the title of said bill, as amended, after "of", insert ", and to add Section 28101.1 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 14

On page 11 of said bill, as amended, strike out lines 7 to 32, inclusive; and strike out all of pages 12 to 24, inclusive, and insert

"SEC. 55. Section 28101.1 is added to said code, to read:

28101.1. Wherever in this chapter the terms "justices' court" or "justice of the court" are used, they shall be construed to mean "justice court" or "judge of a justice court

SEC. 56. Section 28111 of the Government Code is amended to read:

28111. In a county of the eleventh class the following shall receive as compensation for the services required of them by law or by virtue of their office the following sums:

(a) The auditor, *seven thousand two hundred dollars ($7,200)* [six thousand dollars ($6,000)] a year and his necessary expenses incurred while traveling in the performance of his official duties. He shall pay into the county treasury all fees and commissions or compensations received by him in his official capacity, other than his official salary.

(b) The district attorney, eight thousand seven hundred fifty dollars ($8,750) a year and the necessary expenses incurred in the discharge of his official duties. All fees and commissions or compensations, other than his official salary, received by him in his official capacity from any source shall be paid into the county treasury. He shall devote his entire time during office hours to the work of the county and the State and is prohibited from engaging in private work *during his term of office which prohibition shall also apply to his deputies, while so employed* [within office hours].

(c) Each supervisor, *seven thousand two hundred dollars ($7,200)* [six thousand six hundred dollars ($6,600)] a year and actual and necessary expenses incurred in the performance of the duties of his office.

(d) For attending as a grand juror, for each day's actual attendance, *six dollars ($6), and fifteen cents ($0.15)* [five dollars ($5), and ten cents ($0.10)] a mile for each mile actually traveled in going only.

For attending as a trial juror, in the superior court for each day's actual attendance, *five dollars ($5), and fifteen cents ($0.15)* [three dollars ($3), and ten cents ($0.10)] for each mile actually traveled in going only

For attending as a trial juror, in the municipal court for each day's actual attendance, five dollars ($5), and fifteen cents ($0.15) for each mile actually traveled in going only

For attending as a trial juror in criminal cases in justices' courts, *three dollars ($3)* [two dollars ($2)], for each day of actual service as a juror

The judge or justice of the court shall make an order directing the auditor to draw his warrant in favor of the juror for the per diem and mileage and the treasurer shall pay the warrant

The compensation provided by this section shall be payable to incumbent officers.

If it is not legally competent to pay the compensation provided by this section to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 15

On page 25, line 1, of said bill, as amended, strike out "74", and insert "57".

Amendment No. 16

On page 25, line 14, of said bill, as amended, strike out "75", and insert "58"

Amendment No. 17

On page 25, line 25, of said bill, as amended, strike out "76", and insert "59".

Amendment No. 18

On page 25, line 32, of said bill, as amended, strike out "77", and insert "60".

Amendment No. 19

On page 25, line 38, of said bill, as amended, strike out "78", and insert "61".

Amendment No. 20

On page 25, line 44, of said bill, as amended, strike out "79", and insert "62"

Amendment No. 21

On page 26, line 6, of said bill, as amended, strike out "80", and insert "63".

Amendment No. 22

On page 26, line 14, of said bill, as amended, strike out "81", and insert "64".

Amendment No. 23

On page 26, line 21, of said bill, as amended, strike out "82", and insert "65".

Amendment No. 24

On page 26, line 31, of said bill, as amended, strike out "83", and insert "66".

Amendment No. 25

On page 26, line 46, of said bill, as amended, strike out "84", and insert "67".

Amendment No. 26

On page 27, line 6, of said bill, as amended, strike out "85", and insert "68".

Amendment No. 27

On page 27, line 12, of said bill, as amended, strike out "86", and insert "69".

Amendment No. 28

On page 27, line 23, of said bill, as amended, strike out "87", and insert "70".

Amendment No. 29

On page 27, line 30, of said bill, as amended, strike out "88", and insert "71".

Amendment No. 30

On page 27, line 32, of said bill, as amended, strike out "89", and insert "72".

Amendment No. 31

On page 27, line 37, of said bill, as amended, strike out "90", and insert "73".

Amendment No. 32

On page 27, line 39, of said bill, as amended, strike out "91", and insert "74".

Amendment No. 33

On page 28, line 1, of said bill, as amended, strike out "92", and insert "75".

Amendment No. 34

On page 28, line 7, of said bill, as amended, strike out "93", and insert "76".

Amendment No. 35

On page 28, line 15, of said bill, as amended, strike out "94", and insert "77".

Amendment No. 36

On page 28, line 24, of said bill, as amended, after "A", insert "city".

Amendment No. 37

On page 28, line 28, of said bill, as amended, strike out "95", and insert "78".

Amendment No. 38

On page 28, line 31, of said bill, as amended, strike out "96", and insert "79".

Amendment No. 39

On page 28, line 34, of said bill, as amended, strike out "97", and insert "80".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1785 by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—53.

NOES—None.

Assembly Bill No. 1785 ordered enrolled

Assembly Bill No. 2922—An act to amend Section 28121 of the Government Code and Section 421 of the Education Code, relating to compensation for public service in a county of the twenty-first class

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2922?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "Section", and insert "Sections 404 and".

Amendment No. 2

In lines 4 and 5 of the title of said bill, as amended, strike out "a county of the twenty-first class", and insert "counties".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "421", and insert "404".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, between lines 2 and 3, insert

"404. The annual salary of the county superintendent of schools of a county of the fourth class is [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education.

SEC. 1.5. Section 421 of said code is amended to read:".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2922 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 2922 ordered enrolled.

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 974?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 23, 1951, strike out "and to amend Section 11661 of the Insurance Code,".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, as amended, strike out "increase in compensation", and insert "additional sum".

Amendment No. 3

On page 1, line 9, of said bill, as amended, following the period, strike out all of the rest of line 9, and all of line 10.

Amendment No. 4

On page 1, between lines 19 and 20, of said bill, as amended, insert

"This section shall not apply to the State or any of its political subdivisions or districts, nor shall the provisions of this section apply where the employer or minor is engaged in farm, dairy, agricultural, viticultural or horticultural work or in stock or poultry raising."

Amendment No. 5

On page 1 of said bill, as amended, strike out all of lines 20 to 26, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 974 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 974 ordered enrolled.

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710.1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 979?

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, strike out "Proof of continued violation of this article for 30 days or of failure", and insert "Failure".

Amendment No. 2

On page 2, line 13, of said bill, after the period, insert "Proof of continued violation of this section for 30 days makes mandatory on the tribunal before whom the charge of violation of this section is tried the imposition of a fine of not less than *three hundred dollars* ($300)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 979 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 979 ordered enrolled.

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1229?

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "This section shall not be construed to prevent the temporary absence of a registered operator from the premises for any reasonable cause."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1229 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—56

NOES—None.

Assembly Bill No. 1229 ordered enrolled.

Assembly Bill No. 1249—An act to amend Sections 14376.3 and 14610 of the Education Code, relating to other employment by members of the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1249?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 27, 1951, strike out ")".

Amendment No. 2

On page 1, line 22, of said bill, as amended, after "election", insert ")".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1249 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—56.

NOES—None.

Assembly Bill No. 1249 ordered enrolled

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1534?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 30, 1951, strike out "or until October 1, 1953, whichever is later".

Amendment No. 2

On page 1, line 19, of the printed bill, as amended, strike out "The provisions of this section shall terminate"; and strike out all of line 20.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1534 by the following vote:

AYES—Brady, Brown, Connolly, Dickey, Dills, Geddes, Hollibaugh, Lipscomb, McMillan, Moss, and Rumford—11.

NOES—Beck, Belotti, Berry, Burke, Chapel, Cloyed, George D. Collins, Condon, Conrad, Crowley, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, and Thomas—46.

Appointment of Committee on Conference Concerning Assembly Bill No. 1534

The Speaker announced the appointment of Messrs. Kirkwood, Gubser, and Moss as a Committee on Conference concerning Assembly Bill No. 1534.

Assembly Bill No. 1708—An act to amend Section 3462 of the Education Code, relating to the organization of high school districts.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—61.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1708?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "amend Section 3521", and insert "repeal Article 5, Chapter 11, Division 2".

Amendment No. 2

In line 2 of the title of said bill, as amended, before the period, insert "declaring the urgency thereof to take effect immediately".

Amendment No. 3

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1 Article 5, comprising Sections 3521 to 3528, inclusive, of Chapter 11, Division 2 of the Education Code is hereby repealed

SEC. 2. *This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect* The facts constituting such necessity are:

Under the existing law, proceedings for the formation of a county high school district may be commenced, pursuant to Article 5, Chapter 11, Division 2 of the Education Code, upon a petition signed by only 50 qualified electors in the county. A county high school district formed under Article 5 would not ordinarily include other high school districts already in existence in the county. Therefore, the formation of a county high school district would, in most of the counties in the State, result in a school district composed of noncontiguous territory. Small areas of the district may be isolated by many miles from the larger portion or portions of the district A school district composed of noncontiguous territory presents many difficult problems of administration and is unduly expensive to maintain. The transportation of pupils becomes a major problem and expense and the holding of school elections is complicated in districts composed of noncontiguous territory.

Unless this act takes effect immediately, it will be possible to commence proceedings for the formation of such a district before the provisions therefor are replaced.

In order to preserve the orderly structure and administration of the school districts of the State, it is necessary that this act take effect immediately "

Amendment No. 4

On page 1, strike out lines 2 to 23, inclusive, and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1708 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 1708 ordered enrolled.

Assembly Bill No. 2224—An act to add Sections 1303.1, 1303.2, and 1303.3 to the Education Code, relating to employment of superintendents of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2224?

Amendment No. 1

On page 1 of the printed bill, strike out line 1 of the title, and insert "An act to add Sections 1303 1 and 1303.2 to the Educa-".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 16, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2224 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—62

NOES—None.

Assembly Bill No. 2224 ordered enrolled.

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2570?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the second "of", and insert "from".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2570 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, and Thomas—62

NOES—None.

Assembly Bill No. 2570 ordered enrolled.

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3438?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "and to add Sections 1600.5 and 1600.6 thereto".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 22 to 25, inclusive; and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3438 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Assembly Bill No 3438 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO STRIKE BILL FROM FILE

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 3207 be stricken from the inactive file.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1054 BE RE-REFERRED TO COMMITTEE

Mr. Lindsay asked for unanimous consent that Senate Bill No 1054 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Governmental Efficiency and Economy, and that the bill be heard today in the Committee on Governmental Efficiency and Economy.

Mr. Beck withheld unanimous consent.

Motion That Senate Bill No. 1054 Be Withdrawn From Committee, and Be Re-referred

Mr. Lindsay moved that Senate Bill No. 1054 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Governmental Efficiency and Economy; and that the bill be heard today in the Committee on Governmental Efficiency and Economy.

Mr. Lincoln seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Dickey, Dolwig, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—41

NOES—Beck, Brady, Brown, Collier, George D. Collins, Condon, Cooke, Davis, Doyle, Elliott, Fleury, Hagen, Henderson, Kilpatrick, Lowrey, McFall, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Stanley, and Thomas—24.

Senate Bill No. 1054 ordered re-referred to the Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO STRIKE BILL FROM FILE

Mr. Hansen asked for, and was granted, unanimous consent that Assembly Bill No. 2123 be stricken from the inactive file.

Speaker Presiding

At 10.55 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE ASSEMBLY

Mr. McCarthy gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

NOTICE OF MOTION TO AMEND STANDING RULES OF THE ASSEMBLY BY MESSRS. McCARTHY, KIRKWOOD, AND MOSS

Notice is hereby given, pursuant to Standing Rule No. 5 that on the next legislative day, to wit, on June 21, 1951, I, Robert McCarthy, will move to amend the Standing Rules of the Assembly as follows:

I hereby move that a new rule to be numbered 46.5 be added to the Standing Rules of the Assembly to read:

"46.5. Travel expenses of employees of Assembly committees shall be subject to Board of Control rules as applicable from time to time to state employees generally, except as follows:

a. Committee employees shall be entitled to allowances in lieu of actual expenses for mileage, hotel accommodations and meals at the rates fixed by the Board of Control from time to time in limitation of reimbursement of actual expenses of state employees generally, or at such lesser rates as may be prescribed by the employing committee.

b. Wherever a rule of the Board of Control requires approval of the Director of Finance or of the Governor with respect to any claim for expenses, such rule shall be applicable to committee employees but shall be deemed to require the approval of the Assembly Rules Committee rather than the approval of the Governor or Director of Finance.

In all other respects Board of Control rules shall govern as to the time, place and amount of expense allowable, and travel expense claims shall be submitted in form and supported by data and vouchers as required by Board of Control rules.

Mileage is an allowance in lieu of actual expenses of travel by private conveyance, and shall be allowed only to the operator of, and not to passengers in, a private vehicle. Mileage shall not be allowed in lieu of actual fare when travel is by train or other common carrier. Claims for mileage must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers."

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 975—An act to amend Sections 25351 and 26150 of the Government Code, and Sections 22137, 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Bill read third time.

Motion to Amend

Mr. Hansen moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on May 24, 1951, after "district", insert "free public".

Amendment No. 2

On page 2, line 10, of said bill, after "trict", insert "free public".

Amendment No. 3

On page 2, line 17, of said bill, after the second "district", insert "free public".

Amendment No. 4

On page 2, line 23, of said bill, after "district", insert "free public".

Amendment No. 5

On page 2, line 27, of said bill, after "rebuilding," insert "furnishing, refurnishing,".

Amendment No. 6

On page 2, lines 29 and 30, of said bill, strike out "Section 4088 of the Political Code", and insert "Article 1, Chapter 6, Division 3, Title 3 of the Government Code".

Amendment No. 7

In line 2 of the title of said bill, strike out "22137".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gulser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Tomlinson—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1600—An act to add Section 25306 to the Government Code, relating to powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1155

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 1155, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 1155

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Dickey, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lauterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 82

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 82, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 82

Senate Bill No. 82—An act to amend Section 27367 of the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 84

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 84, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 84

Senate Bill No. 84—An act to repeal Section 27370 of the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 85

Mr. Cooke asked for, and was granted unanimous consent to take up Senate Bill No. 85, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 85

Senate Bill No. 85—An act to amend Section 27371 and to repeal Section 27374 of the Government Code, relating to the fee for recording.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 121

Mr. Cooke asked for, and was granted unanimous consent to take up Senate Bill No 121, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 121

Senate Bill No. 121—An act to add Section 27361.5 to the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COPY OF TELEGRAM BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that a copy of a telegram, relative to Assembly Bill No. 91, be ordered printed in the Journal as follows:

May 25, 1951

Hon. Ernest R. Geddes, Assemblyman
State Capitol
Sacramento, California

Re tel, I understood your proposal to be that Assembly Bill No. 91 will be dropped if I agreed to leave group rules in effect while interim committee makes study, and until committee reports to 1953 Session and reasonable time elapses thereafter in which Legislature has opportunity to act on committee's recommendations. I have so agreed.

JOHN R. MALONEY, Insurance Commissioner

(This is a true copy)

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 91, on request of Mr. McCollister.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 91 BE RE-REFERRED TO COMMITTEE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 91 be withdrawn from the third reading file, and be re-referred to the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits, bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 848

Mr. Cloyed asked for, and was granted unanimous consent to take up Senate Bill No. 848, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 848

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 315—An act to add Section 12046 to the Education Code, relating to the issuance of credentials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L Collins announced that Senate Bill No. 1626, taken up by Mr. Fleury yesterday, was about to be voted upon when the electrical voting machine failed to function properly. He further announced that for this reason, Senate Bill No 1626 again appears on the third reading file, today, as no final vote was taken upon it.

REQUEST FOR UNANIMOUS CONSENT TO STRIKE BILLS FROM FILE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bills Nos. 31 and 90, and Assembly Concurrent Resolution No. 5 be stricken from the inactive file.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 1464 FROM THE GOVERNOR

Mr. Munnell asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Governor to return Assembly Bill No. 1464 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1527—An act to amend Section 5065 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Burkhalter asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Senate Bill No. 1527, and that he be recorded as voting "Aye".

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to amend Section 11501 of the Government Code, relating to enumerated agencies referred to in Section 11500.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 538—An act to amend Section 110.6 of the Business and Professions Code, relating to reports to the Governor and the Legislature by the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 536

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Bill No. 536, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 536

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803 5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 83—An act to amend Section 27366 of the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Munnell, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 227—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 227

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 227.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Munnell, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 790

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Bill No. 790, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 790

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Bill read third time, and ordered passed on file.

RESOLUTIONS

The following resolutions were offered:

By Mr. Stanley:

House Resolution No. 230

Relative to the creation of the Assembly Interim Committee on Municipal and County Government

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Municipal and County Government is hereby created and authorized and directed to ascertain, study and analyze all facts relating to governmental relations between cities, counties and districts as these relationships have been affected and made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the counties The studies to be made by the committee shall include, but not be limited to, the advisability of the formation of multiple purpose urban districts, problems relating to annexation and incorporation, the most efficient, economical and equitable means of securing the provision of needed urban services in urban unincorporated areas, and the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or

relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Municipal and County Government for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Hawkins, Hollibaugh, Morris, Hahn, Geddes, Doyle, Dills, Hansen, Gubser, Sherwin, Cloyed, Rosenthal, Chapel, Thomas, Evans, and McCarthy:

House Resolution No. 231

Relative to directing the Assembly Interim Committee on State and Local Taxation to study the problem of the taxation of the trucking industry

WHEREAS, For many years the repeal or change in the incidence of the Motor Vehicle Transportation License Tax Law has posed a perplexing and still unsolved problem to this Legislature; and

WHEREAS, There is a sharp difference of opinion between various interests concerned which is detrimental to the trucking industry and the State generally; and

WHEREAS, At a recent meeting of the Assembly standing Committee on Revenue and Taxation a motion was adopted unanimously to refer the matter for study and report to the Assembly Interim Committee on State and Local Taxation; and

WHEREAS, All concerned are agreed to so doing; now, therefore, be it

Resolved by the Assembly of the State of California That the Assembly Interim Committee on State and Local Taxation, or such other Assembly interim committee with similar powers and duties as may succeed it, is hereby requested to investigate and study all matter related to the scope, impact and administration of the Motor Vehicle Transportation License Tax Law and the continued need therefor; and be it further

Resolved, That said committee is hereby requested to submit a report on such investigation and study to this Assembly at the 1953 Regular Session of the Legislature

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER. Your Committee on Rules, to which were referred:

House Resolution No. 229
House Resolution No 98
House Resolution No. 209
House Resolution No 217
House Resolution No. 218
House Resolution No. 223

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 104
Assembly Concurrent Resolution No. 105

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

SAM L COLLINS, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No 91
Senate Concurrent Resolution No 96

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER. Your Committee on Industrial Relations, to which was referred:

Senate Bill No 700

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

LEVERING, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 700—An act to add Section 5500.5 to the Labor Code, relating to workmen's compensation for industrial disease.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER Your Committee on Public Health, to which were referred:

Senate Bill No. 729
Senate Bill No 1671

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical and biologic sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3447

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 104
Assembly Concurrent Resolution No. 105

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Senate Bill No. 40	Senate Bill No. 1156
Senate Bill No. 154	Senate Bill No 1288
Senate Bill No 170	Senate Bill No. 1302
Senate Bill No. 328	Senate Bill No. 1345
Senate Bill No. 425	Senate Bill No. 1360
Senate Bill No. 574	Senate Bill No. 1361
Senate Bill No 594	Senate Bill No. 1480
Senate Bill No. 710	Senate Bill No. 1537
Senate Bill No. 783	Senate Bill No. 1630
Senate Bill No. 871	Senate Bill No. 1732

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 40—An act to amend Sections 737e, 737v, 737ccc of the Political Code and Sections 79.5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 154—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Bill read second time, and ordered to third reading.

Senate Bill No. 170—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 328—An act to amend Section 737hh of the Political Code, and Section 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 425—An act to amend Section 737vv of the Political Code and 79.48 of the Code of Civil Procedure, relating to salary of judges in Solano County.

Bill read second time, and ordered to third reading.

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 594—An act to amend Section 737w of the Political Code and Section 79.23 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 710—An act to amend Sections 737oo of the Political Code and 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 783—An act defining and regulating the practice of shorthand reporting; creating a State Board of Examiners of Shorthand Reporters in the Department of Professional and Vocational Standards, and providing for its duties and powers; providing for the examination and certification of shorthand reporters, with the designation "certified shorthand reporter"; creating the Shorthand Reporters' Fund and making an appropriation; and prescribing penalties for violations of this act.

Bill read second time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on June 14, 1951, strike out "passage", and insert "effective date".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 871—An act to amend Section 209 of the Penal Code, relating to kidnaping and the punishment therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1156—An act to amend Sections 737ee of the Political Code and 79 31 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1288—An act providing for the constitution of the municipal court in the district known and designated as the Central Judicial District of Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1302—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1345—An act providing for the constitution of municipal courts in districts in San Mateo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1361—An act providing for the constitution of a municipal court in a district embracing the City of Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1480—An act to amend the Government Code and Section 737w of the Political Code, relating to salaries of superior judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 1537—An act to amend Section 737u of the Political Code, and Section 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1630—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1732—An act to add Section 1033.5 to the Penal Code, relating to change of venue in criminal proceedings.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Senate on June 14, 1951, strike out "1951-52 Fiscal Year", and insert "two year period of 1951-53 Fiscal Years".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 679

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 679—An act to add Section 35 to Chapter 1, Title 1, Part 1 of the Code of Civil Procedure, relating to courts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 14, 15, and 16, of the printed bill, as amended in the Senate on May 23, 1951, strike out ", or if a quorum thereof is not available, the Chief Justice or acting Chief Justice of the Supreme Court of this State,".

Amendment No. 2

On page 1, line 24, of said bill, strike out "Such orders shall remain"; and on page 2, strike out all of lines 1 to 5, inclusive, and insert "*The authority granted by this section shall be exercised only if the Judicial Council first finds that the facts and situations existing under and during such state of extreme emergency are such as to interrupt the usual and ordinary course of conducting the work of the courts of this State and the orderly administration of justice therein, either in the State as a whole or in any specified county or counties thereof. Any such finding, suspension, extension of time, or order for the conduct of the courts or the proceedings therein shall be effectuated by written order of the Judicial Council and the filing of a certified copy of said order with the Governor. Orders of suspension and for the conduct of the courts and the proceedings therein shall remain in effect for a period not longer than the state of extreme emergency and a reasonable time, not exceeding one year, thereafter, as specified by the Judicial Council If the finding of the Judicial Council is that the facts and situations interrupt the usual and ordinary course of conducting the work of the courts and the orderly administration of justice in a certain county or in certain counties only, or in certain courts only, the orders of suspension, extension of time, and for conduct of the courts and the proceedings therein shall be limited accordingly; otherwise such orders may be made effective throughout the State if the Judicial Council finds that such interruption extends throughout the whole of the State Time for commencing any action or proceeding or for performing any other act provided or required to be performed in any court may be extended only if the time would otherwise expire during such state of extreme emergency or within a period of one year thereafter and no extension of time shall be for a period longer than such state of extreme emergency and a period of one year thereafter*

SEC 2. This act shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature"

Amendment No. 3

On page 2, line 6, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RECESS

At 2.01 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.20 p.m., for the purpose of permitting mechanics to repair the electric voting machine, which is not functioning properly.

REASSEMBLED

At 2.20 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following opinion was received, read, and ordered printed in the Journal.

OPINION OF THE ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
SAN FRANCISCO 2, CALIFORNIA
EDMUND G. BROWN
Attorney General

OPINION OF EDMUND G. BROWN, *Attorney General*
LEONARD M. FRIEDMAN, *Deputy Attorney General*
No. 51/122 June 18, 1951

The HONORABLE EARL WARREN, GOVERNOR OF CALIFORNIA, presents the following question:

Is it competent for the Legislature to deliver to the Governor, and for the Governor to receive, enrolled bills after the date fixed by Article IV, Section 2 of the Constitution for final adjournment of the legislative session?

Our opinion is summarized as follows:

There is no authoritative California precedent which furnishes assurance that legislative bills may be presented to the Governor after *sine die* adjournment of the Legislature. Nevertheless, in view of Article IV, Section 16, State Constitution, and the weight of judicial decisions in other states, it is our opinion that bills, having been adopted by both houses, may be prepared in an enrolled form and presented to the Governor as soon as possible after final adjournment of the legislative session.

Analysis

The question is whether a bill which has passed both houses of the Legislature may be presented to the Governor following the final adjournment of the legislative session. Article IV, Section 16 of the State Constitution provides in part:

> "Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter such objections upon the Journal and proceed to reconsider it. If after such reconsideration, it again pass both houses, by yeas and nays, two-thirds of the members elected to each house voting therefor, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within 10 days after it shall have been presented to him (Sundays excepted), the same shall become a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevents such return, in which case it shall not become a law, unless the Governor, within 30 days after such adjournment (Sundays excepted), shall sign and deposit the same in the Office of the Secretary of State, in which case it shall become a law in like manner as if it had been signed by him before adjournment * * *."

The above provision does not expressly require that a bill shall be presented to the Governor at any particular time after passage. If the Legislature is in session the Governor has 10 days after *presentation* within which to sign or veto it. If the Legislature has adjourned he has 30 days after *adjournment* within which to approve or pocket veto the bill. Obviously, any delay between adjournment of the Legislature and presentation of bills will consume a portion of the 30-day "bill signing" period allotted to the Governor.

The matter was not of great moment when legislative sessions had no mandatory adjournment date. A rush of legislation during the last few days of the session might create a backlog in the process of printing, comparing and certifying enrolled bills; in such case, the Legislature was at liberty to adopt a resolution delaying adjournment until all adopted bills could be printed, enrolled and delivered to the Governor. In 1949, however, Article IV, Section 2 of the Constitution was amended to limit general sessions to 120 days and budget sessions to 30 days. The 1951 Regular Session, now in existence, must therefore adjourn prior to midnight, June 23, 1951. If the Legislature requires the full allotted time for the consideration and passage of bills, and if the flow of last-minute legislation outstrips the mechanical work of enrolled bill preparation, the Legislature is no longer in a position to extend its adjournment date. If the law requires bills to be enrolled and presented to the Governor before adjournment, it might be necessary to call a halt to the process of bill consideration and adoption during the last day or two of the session.

California judicial precedents are lacking. In Attorney General's Opinion No. 25, March 21, 1899, the conclusion was expressed that the Governor has power to sign bills, properly enrolled, presented to him after the Legislature in fact adjourns, citing *Dow* vs. *Beidleman* (Ark.) 5 S. W. 297.

Harpending vs. *Haight,* 39 Cal. 189, held that a veto was ineffective where the Governor had sent a bill back to the Senate after it had recessed for the day on the last of the 10 days allotted for bill signing during the session. The court likened the "return" of the bill to its "presentation" to the Governor. From this, it could be implied that the existence of a session is necessary not only to the return of a vetoed bill, but also to the presentation of a bill to the Governor in the first instance. *Harpending* vs. *Haight,* however, turns upon the fact that the Governor's messenger, finding that the Senate was in recess, had retained the bill in his own custody. By way of dictum, the court observed that had the messenger actually delivered the bill and veto message to an officer of the Senate, the veto would have been sufficient even though the Senate itself was not in session (see Gov. Code, Sec. 9515).

It has been said that the California Legislature is not a continuing body, that its legislative powers cease upon adjournment *sine die* (*Special Assembly Interim Committee* vs. *Southard,* 13 Cal. 2d 497, 507; *Swing* vs. *Raley,* 13 Cal. 2d 513, 519). From a theoretical standpoint, the preparation and presentation of enrolled bills are acts of a legislative nature, a manifestation of the legislative process which may take place only while the Legislature is in session (see *Fowler* vs. *Pierce,* 2 Cal. 165). Quite

aside from such theoretical considerations, there are many kinds of legislative activity which occur after and between sessions. Such activities are only incidental to the primary function of considering and adopting legislation (see *Rich* vs. *Industrial Accident Commission,* 36 Cal. App. 2d 628). By statute, the Legislature has created a number of interim committees with power to act between sessions (see Gov. Code, Secs. 8000-8004, 9107, 9126, 9127). The Constitution (Art. IV, Sec. 37) authorizes the creation of interim fact-finding committees by resolution of one or both houses. The officers and attaches of the two houses have numerous post-session and inter-session duties of an administrative and clerical nature (see Gov. Code, Sec. 9220; Rules 10.7, 11, 13, Standing Rules of Senate; Rule 12, Assembly Standing Rules; and recurring house resolutions of each session, such as H.R. 339, 1949 Regular Session, directing post-session compilation of legislative records). If bill enrollment and presentation are necessarily characterized as legislative activities, it is a sufficient answer to say that not all legislative activities need take place during the session (*Edwards* vs. *United States*, 286 U. S. 482, 490, 76 L. Ed. 1239).

The actual fact is that, following passage of a bill, the work of printing, comparing, enrolling and presenting it is a nondiscretionary, ministerial, mechanical task (see Gov. Code, Secs. 9500-9509; Rule 24, Joint Rules of Senate and Assembly). There is no deep-seated consideration of public policy, nor any feature of our organic scheme of government, which requires both houses to remain in session while these administrative activities take place. Assuming that the Constitution permits it, ample arrangements exist for post-session enrollment and presentation. Section 9220, Government Code, authorizes the Speaker of the Assembly to sign enrolled bills and cause their delivery to the Governor after final adjournment. Rule 13 of the Senate Standing Rules places the Senate Committee on Rules in charge of bill enrollment and gives that committee continuing existence following final adjournment of the Legislature.

In most of the states where the question has arisen, the courts have decided that, in the absence of express constitutional requirements, a bill passed by the Legislature may be presented to the Governor after the Legislature has finally adjourned (*Dow* vs. *Beidleman*, supra; *Monroe* vs. *Green* (Ark.) 76 S.W. 199; *Barber* vs. *State* (Ark.) 174 S.W. 2d 545; *Preveslin* vs. *Derby & Ansonia Developing Co.* (Conn.) 151 Atl. 518, 70 A.L.R. 1426; *State ex rel. Thompson* vs. *Davis* (Fla.) 169 S. 199; *People* vs. *Hughes* (Ill.) 25 N.E. 2d 75; *Lankford* vs. *Somerset County* (Md.) 20 Atl. 1017, 22 Atl. 412, 11 L.R.A. 491; *Johnson* vs. *Luers* (Md.) 99 Atl. 710; *Robey* vs. *Boersma* (Md.) 29 Atl. 2d 827, 146, A.L.R. 687; *Hartness* vs. *Black* (Vt.) 114 Atl. 44).

The question has had a somewhat checkered career in Florida, whose constitution, like our own limits the length of legislative sessions. In *Amos* vs. *Gunn,* 94 So. 615, the Florida Supreme Court held that bill presentation must occur while the Legislature remains in session. The holding was reaffirmed in *State ex rel. Cunningham* vs. *Davis,* 166 So. 289, which indicated, however, that the legislature could "hold over" past the constitutional deadline for the purpose of performing such nondiscretionary duties as bill enrollment and presentation. No doubt dismayed by the spectacle of the entire legislative assembly sitting in solemn

session for the sole purpose of gazing at the mechanical process of bill preparation, the Florida Court ultimately conceded that bills passed during the last few days of the session could be certified and presented "reasonably beyond the end of the session" (*State ex rel. Thompson* vs. *Davis, supra*).

An advisory opinion of the New Hampshire Supreme Court held that under the existing statutes presentation had to occur before adjournment. The court, however, left open the question whether the Legislature could constitutionally authorize the opposite result (Opinion of the Justices, 81 Atl.170).

So far as our own Constitution is concerned, the preeminent fact is that Article IV, Section 16 does not expressly require the bills be presented to the Governor while the Legislature remains in session. Guided chiefly by this fact, and by the great weight of judicial authority in other states, we are of the opinion that it is competent for the Legislature to deliver to the Governor, and for the Governor to receive, enrolled bills after the final adjournment of the Legislature, regardless that the constitutional time limit on the legislative session has expired.

On its surface the legal problem is a matter of mere mechanics. There should be an awareness, nevertheless, of the high governmental considerations involved. The Constitution contains a meticulous plan, so designed that the Legislature and the Governor, as units in a single scheme of operation, may perform their respective roles in the lawmaking process, neither being able to invade the authority of the other. There may be eras of party struggle, or of antagonism between Legislature and the Executive. No interpretation of the Constitution or the laws should furnish either of these great agencies an opportunity to place the other at a disadvantage. In the last analysis, however, there is a limit to the effectiveness of verbal formulae. "We must trust to the good faith and integrity of all the departments Power must be placed somewhere, and confidence reposed in some one" (*Myers* vs. *English*, 9 Cal. 341, 349). We are free to recognize that the preparation and enrollment of bills following the Legislature's adjournment consumes a portion of the 30-day bill consideration period allotted to the Governor. Conceivably the activity could be so slow as to deprive him of a substantial portion of that time. Implicit in the constitutional scheme is the mandate that these tasks be performed as promptly as possible. In our opinion, it is the duty of the legislative officers and attaches charged with bill enrollment and presentation to perform their tasks forthwith upon the close of the session.

A *caveat* is in order. There is no authoritative California precedent on which to base an assurance that the courts of this State will arrive at a similar view. Nevertheless we have reached the conclusion that bills, having duly passed both houses, may be printed, enrolled and presented to the Governor as soon as possible following the final adjournment of the Legislature. So far as this office is concerned, the opinion is unqualified.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1815—An act creating the Solvang Municipal Improvement District and prescribing its boundaries, change of boundaries,

organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrie, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrie, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1528

Mr. Davis asked for, and was granted unanimous consent to take up Senate Bill No. 1528, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1528

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of legislators and other state elective officers.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on May 21, 1951, strike out line 17, and insert "of Administration, (a) any member of this system who was a member on the effective date of this amendment who has attained age 63, (b) any member who hereafter becomes a member of this system who has".

Amendment No. 2

On page 2, line 19, of said bill, strike out "(b)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 597, on motion of Mr. Davis.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lindsay, Berry, Parker, Chapel, Belotti, and Meyers:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on Transportation and Commerce

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Transportation and Commerce is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Transportation and Commerce, and any and all other matters relating to or affecting rapid transit highways, streets and bridges, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly Standing Committee on Transportation and Commerce for this legislative session. The chairman and vice chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the Speaker

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the contingent fund of the Assembly for the expenses of the Committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the Committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 19, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 61, entitled: "An act to amend Section 8201 of the Government Code relating to notaries public."

My objections to the bill are as follows:

This bill would add a requirement that to be appointed a notary an applicant must answer a written questionnaire on a form prescribed by the Governor to determine his fitness to exercise the functions of office I do not believe that this bill would be effective to improve the standards of notaries public. To be of any value, the

bill would require an extensive organization to check the answers to questions and to prepare examination papers. No provision is made in the budget for any state department for any such function. In the absence of an extensive investigation of applicants, together with a carefully thought out and frequently changed questionnaire, with adequate checking of answers, this bill would be of little benefit. For this reason, I am returning it without my approval

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No 61

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO 14, June 19, 1951

I acknowledge receipt this twentieth day of June, 1951, at 2.25 o'clock p m, of Assembly Bill No. 61, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No 61 ordered to unfinished business file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 606

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 606—An act providing for the constitution of municipal courts, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 514—An act to amend Sections 3, 12, 14, 16, 17, 28, 30, and 35 of, and to add Sections 30.1, 30.2, 30.3, 30.4, 30 5, 30 6, 30.7, 30.8, 30.9, 30.10, 30.11, 30.12, 30.13, 30 14, 30.15, and 30 16 to, and to repeal Sections 13, 15, 18, and 29 of, the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district, the incurring of indebtedness, the issuing and selling of special assessment bonds, the levy and collection of special assessments, and the levy and collection of taxes by said district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs. Dolwig, Evans, Hawkins, Levering, McGee, McMillan, Meyers, and Stewart asked for, and were granted, unanimous consent that their names be placed upon the roll call on Senate Bill No. 514, and that they be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 261

Mr. Brown asked for, and was granted unanimous consent to take up Senate Bill No. 261, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 261

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 27, 1951, after "22257", insert ", and to repeal Section 22264,".

Amendment No. 2

On page 1 of said bill, after line 21, insert

"Whenever water is in fact delivered by a district for human consumption or domestic use, notwithstanding any written or implied agreement that it shall not be so used, the district shall comply with all provisions of Chapter 7, Part 1, Division 5 of the Health and Safety Code and shall be subject to the penalties provided therein.

SEC. 2. Section 22264 of the Water Code is hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 95—An act to add Section 44.8 to the Vehicle Code, relating to authorizing emergency vehicles.

Bill read third time.

Motion to Strike Senate Bill No. 95 From File

Mr. Cooke moved that Senate Bill No. 95 be stricken from file.

Motion died for lack of a second.

The question being on the passage of Senate Bill No. 95.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Silliman:

House Resolution No. 233

Relating to creating the Assembly Interim Committee on Conservation, *Planning, and Public Works*

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 296	Senate Bill No. 961
Senate Bill No. 298	Senate Bill No. 1078
Senate Bill No. 386	Senate Bill No. 1514
Senate Bill No. 435	Senate Bill No. 1085
Senate Bill No. 465	

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Bill read third time, and ordered passed on file.

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.48 p.m., Mr. Hollibaugh asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Revenue and Taxation in the Lounge Room, at this time.

Subject: Senate Bill No. 919.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1712—An act to amend Section 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 860—An act to amend Sections 20492, 21024, 21251.1, 21253, and 21331 of, to repeal Sections 21360 of, and to add Sections 21201.5 and 21360 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes.

Bill read third time, and ordered passed on file

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Bill read third time.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 11, 1951, after the second "to", insert ", and to amend Section 2205 of."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 2 of said bill, after line 21, insert:

"SEC. 2 Section 2205 of said code is amended to read

2205 *The governing board of any elementary school district having an average* daily attendance of 1,000 or more pupils and an assessed valuation of [twenty million dollars ($20,000,000)] *eighteen million dollars ($18,000,000)* or more may, and upon petition signed by 25 per cent of the heads of families resident in the district, shall call an election to determine whether or not, it shall have the rights, powers, and duties

of a city board of education and whether or not the district shall for all purposes be deemed to be a district governed by a city board of education.

Notice and proceedings of the election shall be in accordance with the provisions of this code relating to the election for school trustees, so far as applicable. There shall be elected at the election, to take office if the change in the rights, powers, and duties of the board is approved by majority vote of the qualified electors in the district, two additional members to the board, one to hold office until the first of July next succeeding the election and one to hold office until one year after the first of July next succeeding the election and until the election and qualification of their respective successors who shall hold office for three years. Thereafter, if the change in the rights, powers, and duties of the board is approved, the number of school trustees for the elementary school district shall be five, and they shall be elected in the same manner and for the same term as provided by law for trustees of elementary school districts, except that two trustees may be elected at the same time when the terms of their predecessors terminate in the same year. If the change is approved by a majority vote of the qualified electors of the district, the board shall have the rights, powers, and duties of a city board of education, and the district shall for all purposes be deemed to be a district governed by a city board of education.

If the office of any member of the board becomes vacant prior to the expiration of his term, the vacancy shall be filled by a person appointed by a majority of the remaining members of the board The person appointed shall serve for the remainder of the unexpired term."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 38

Mr. Lyon asked for, and was granted unanimous consent to take up Senate Joint Resolution No. 38, temporarily passed on file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 38

Senate Joint Resolution No. 38—Relating to the settlement of certain claims of the Indians of California by the Indian Claims Commission of the United States and the federal courts.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1200—An act to amend Sections 1502.5, 1509.7, 1509.9, 1513, 1518.2, 1535.3, 1541, 1560, 1562, 1571, 1581, 1586, 1587, and to repeal Article 10.5, comprising Sections 1595 to 1598, inclusive, of, and to add Sections 1505.5, 1535.7, 1535.8, 1542, 1585, and 1587.5 to, the Military and Veterans Code, and to amend Section 8.5 of the Civil Defense Act of 1950, relating to civil defense, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Calls

Mr. Waters asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Senate Bill No. 1200 and on the passage of Senate Bill No. 1200, and that he be recorded as voting "Aye."

Senate Bill No. 1203—An act to add Section 1518.4 to the Military and Veterans Code, relating to civil defense.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1204—An act to amend Sections 3211.9, 3211.92, 3211.93, 3352.94, 4363, of, and to renumber the chapter heading of Chapter 10.5 of Division 4, Part 1 of, and to repeal Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, 3352.5, 4301, 4302, 4303, 4304, 4305, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4366, and 4367 of the Labor Code, relating to the furnishing of workmen's compensation benefits to volunteer disaster service workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 677—An act to provide for the safety of public records, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.10 p.m., Mr. Sherwin asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Ways and Means in the Post Office, at this time.

Subject: Senate Bill No. 65.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read third time, and ordered passed on file.

Senate Bill No. 516—An act to add Sections 99 to 106, inclusive, to the Drainage District Act of 1903, relating to the dissolution of drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 885—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1700—An act to amend Section 28120 of the Government Code, relating to compensation for services performed for counties of the twentieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 920

Mr. Hansen asked for, and was granted, unanimous consent to take up Senate Bill No. 920, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 920

Senate Bill No. 920—An act to add Section 988 to the Revenue and Taxation Code, relating to the assessment of mineral rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time, and ordered passed on file.

Senate Bill No. 1632—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1469—An act to amend Sections 43619 and 43620 of, and to add Sections 43620.1 and 43620.2 to, the Government Code, relating to bonds for municipal improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1225 BE RE-REFERRED TO COMMITTEE

Mr. Clarke asked for, and was granted, unanimous consent that Senate Bill No. 1225 be withdrawn from the third reading file, and be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 84—Relative to the organization of the Department of Fish and Game.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 37—Relative to maintaining a minimum lake level behind the Isabella Dam.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 78—Relative to a study of glutinous rice by the University of California Experimental Station, Department of Food Technology.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 90—Relating to observance of Flag Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 234

Resolved, That Justin G. Child, Chief of the Bureau of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the Members and Officers of the Assembly in such condition that they will be available for use by the Assembly at any time. It is further directed that no person other than the Members and Officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly, or any of the Assembly equipment, and that the committee rooms, offices, desks, furniture and equipment of the Assembly be under the control of the Committee on Rules of the Assembly subsequent to the sine die adjournment of the session and until the Assembly shall reconvene for the next regular session,

Resolved, That any requests for the use of the Assembly Chamber must be made to the Speaker at least 10 days prior to the requested date for the use of the Assembly Chamber, and that subsequent to the sine die adjournment, and until the reconvening of the Assembly for the next regular session, the use of the Assembly Chamber shall not be permitted except on the written authorization of the Speaker; and be it further

Resolved, That any requests for the use of the committee rooms, offices, desks, furniture, or equipment of the Assembly shall be made to the Speaker of the Assembly, in writing, at least ten days prior to the requested date for the use of such committee rooms.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Davis:

House Resolution No. 235

Relative to study by Subcommittee of the Interim Committee on Fish and Game, of the ranging of mule deer herds

WHEREAS, Northeastern California is the part-time range of two herds of mule deer, one of which summers in the State of Oregon and winters in the Devils Garden area of Modoc County, California, while the other summers in California and winters in the State of Nevada; and

WHEREAS, There have been widespread differences of opinion and misunderstanding concerning the numbers, physical condition of, and the available food supply for the mule deer constituting these two interstate herds; and

WHEREAS, The Assembly Interim Committee on Fish and Game appointed pursuant to House Resolution No 251 of the Regular Session of 1949, submitted preliminary findings and recommendations concerning the problems above enumerated; and

WHEREAS, There is need for more comprehensive studies covering range conditions, the status of the deer browse, the steps that should be taken to rehabilitate such portions of the range as may have been destroyed either by overgrazing by domestic stock or overbrowsed by deer, or both; and

WHEREAS, In the interest of better public understanding of the complex problems involved, and to obtain further information relative thereto, it is essential that additional field surveys be made and that more public hearings be held in the areas in question; now, therefore, be it

Resolved by the Assembly of the State of California, That a Subcommittee of the Interim Committee on Fish and Game be hereby authorized and directed to conduct such field surveys, hold additional public hearings, and submit a report of its findings and conclusions to the next regular session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1752

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Bill No. 1752, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1752

Senate Bill No. 1752—An act to amend Section 28133 of the Government Code, relating to compensation for public services in a county of the thirty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 122

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 122, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 122

Senate Bill No. 122—An act to add Section 424 to the Government Code, relating to the official colors of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read third time, and ordered passed on file.

Senate Bill No. 1061—An act to repeal Section 1367 of the Fish and Game Code, relating to commercial hunting clubs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 728—An act to amend Section 2786 of, and to add Section 2708.1 to the Business and Professions Code, relating to nursing education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 760—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1004—An act to amend Section 3084 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1444—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1246—An act to amend Section 2605 of the Elections Code, relating to sponsors for candidates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1524

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 1524, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1524

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, after "commission", insert a comma, and "four of whom shall be residents of county Group 1 and four residents of county Group 2 as said groups are defined in Section 187 of this code".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1117

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 1117, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1117

Senate Bill No. 1117—An act to add Article 4 to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, consisting of Sections 53070 and 53071, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.46 p.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 543

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 543, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 543

Senate Bill No. 543—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title

9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247c, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167, and 1467 to said code, relating to proceedings in criminal cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Lindsay asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 543, and that he be recorded as voting "Aye".

Hon. Richard H. McCollister Presiding

At 3.49 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1127

Mr. Brown asked for, and was granted unanimous consent to take up Senate Bill No. 1127, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1127

Senate Bill No. 1127—An act to amend Section 38742 of the Government Code, relating to municipal water facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 634

Mr. Maloney asked for, and was granted unanimous consent to take up Senate Bill No. 634, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 634

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.52 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 424—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 501—An act to amend Section 407 of the Education Code, relating to county school superintendents' salaries in counties of the seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 619—An act to amend Section 737qq of the Political Code, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1016—An act to repeal the Political Code of the State of California, relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 4, 1951, strike out "and 58501".

Amendment No. 2

On page 2 of said bill, strike out lines 14 to 52, inclusive.

Amendment No. 3

Strike out all of page 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1151—An act to amend Section 737tt of the Political Code and 79.46 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1152—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1569—An act to amend Section 5821 of the Streets and Highways Code, relating to county maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1692—An act to amend Section 28110 of the Government Code, relating to compensation for public services for counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1831—An act to amend Sections 2.2 and 14 of the Orange County Flood Control Act, relating to the purchase and resale of water and authorizing the levy and collection of additional taxes for such purposes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Senate Bill No. 29 Hold Place on File

Mr. Babbage asked for, and was granted, unanimous consent that Senate Bill No. 29 be passed on file, and hold its place on file on the next legislative day.

Senate Bill No. 487—An act to amend Sections 2007, 2009, and 2151 of the Streets and Highways Code, relating to a System of Public Streets and Highways in this State and the financial support thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 714—An act to add Sections 55.1, 55.2, and 55.3 to the State Water Resources Act of 1945, relating to the project on the Russian River for flood control and water conservation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 761—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1570—An act to amend Section 34326 of, and to add Section 34333 to, the Government Code, relating to the incorporation of cities and the withdrawal of territory therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters

for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1597—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans,

Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read third time, and ordered passed on file.

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid moneys, declaring the urgency hereof, to take effect immediately.

Bill read third time, and ordered passed on file.

Senate Bill No. 216—An act to amend Sections 502, 502.1, 502.2, 511.5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Coats asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 216, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 596

Mr. Coats asked for, and was granted unanimous consent to take up Senate Bill No. 596, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 596

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 31, 1951, strike out ", fish market or in any establishment", and insert "or fish market".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1468

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1468, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1468

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 26, of the printed bill, following "ineffective", insert ", or to confirm, validate or legalize the organization of, or any proceedings for the organization of any municipal corporation, when any part of the area of such municipal corporation within the boundaries thereof described in the resolution or order of the board of supervisors defining and establishing the boundaries of the proposed municipal corporation has been held by any court to be a part of another municipal corporation or has, directly or indirectly, been held illegally included within such boundaries of the proposed municipal corporation as described in said resolution or order of the board of supervisors or in the notice of election on the incorporation of the proposed municipal corporation".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cloyed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 105, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 105

Assembly Concurrent Resolution No. 105—Relative to advertising by Dairy Industries Advisory Board.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 4.22 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 65 re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, Beck, and Shaw:

House Resolution No. 236

Relative to congratulating Loyola University of Los Angeles on recent accomplishments

WHEREAS, Loyola University of Los Angeles has its origin and traditions deep in the early history of California, and has maintained an outstanding scholastic, religious, and athletic program; and

WHEREAS, Scholastically, the university has high admission and performance requirements, and believes in a rigorous foundation of knowledge and a generous share of culture which will support any superstructure of science, arts or letters, and has effected marked successes thereby, and

WHEREAS, Religiously, the university promotes the philosophy that knowledge and intellectual development of themselves have no moral efficacy whatever, but that religion is necessary to provide the integrity to guide the use of learning in every endeavor; and

WHEREAS, Athletically, the university attaches relative importance to a sound body for a sound mind, maintaining intermural athletics on a year-round basis, and engages in intercollegiate football, basketball, baseball, tennis, and golf; their winning football teams of the past two seasons presage greater gridiron power; the university has permitted its football games to be televised for the coming year, thus permitting many sports fans to enjoy and be attracted to the games; and

WHEREAS, Such a broad yet integrated educational program uniquely develops the "Complete Man" under the century-tried methods of the Jesuit Fathers; now, therefore, be it

Resolved by the Assembly of the State of California, That Loyola University of Los Angeles be congratulated on their outstanding scholastic, religious, and athletic accomplishments; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Rev. Charles S. Casassa, S. J., President of the University.

Resolution read, and ordered referred to the Committee on Rules.

APPOINTMENT TO COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Dickey to membership on, and to Chairmanship of, the Committee on Conservation, Planning, and Public Works, vice Mr. Silliman, resigned.

ANNOUNCEMENT

Mr. Munnell announced, on behalf of Senator Tenney, that the Senate Committee on Judiciary will meet today, upon adjournment of the Senate, for the purpose of hearing, for the last time, Assembly bills pending before this committee.

NOTICES OF MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

Mr. Silliman gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

Notice of Motion to Amend Standing Rules of the Assembly by Mr. Silliman

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on June 21, 1951, I will make a motion with respect to Rule 9.5 of the Standing Rules of the Assembly as follows:

I hereby move that Rule 9.5 be added to the Standing Rules of the Assembly to read:

"*9.5. All claims for expenses incurred by interim investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.*

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules may adopt rules and regulations governing the letting of any contract by an interim investigating committee and may also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee."

Mr. Sherwin gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

Notice of Motion to Amend Standing Rules of the Assembly by Mr. Sherwin

Notice is hereby given pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on June 21, 1951, I will make a motion to amend the Standing Rule to the Assembly by adding a new rule numbered 47.7 as follows:

I hereby move that a new Rule 47.7 be added to the Standing Rules of the Assembly to read:

"*47.7. A vacancy shall be deemed to exist in the membership of any interim committee except the Committee on Rules whenever a member thereof fails to obtain the nomination of his party at the primary election or whenever such member is not re-elected at the general election. Vacancies so occurring in the membership of any committee shall be filled by the Speaker.*"

Mr. Kirkwood gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

Notice of Motion to Amend the Standing Rules by Mr. Kirkwood

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, towit, on June 21, 1951, I will make a motion to amend Rules No. 12, 14, and 15 of the Standing Rules of the Assembly, as follows:

"12. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications, and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matters as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches, and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties

(f) To suspend temporarily any clerk, attache, or employee for incompetency or dereliction of duty, pending action by the Cominttee on Rules.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker.*

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the ~~Chairman of the Committee on Rules~~ *Speaker* or *a person designated* by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within thirty days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

15. Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker*. All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules."

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 460

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 846
Senate Bill No. 1681

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 846—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1681—An act making an allocation from the emergency fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 932

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 932—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts, and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 819

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 819—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 17, of the printed bill as amended in the Senate on June 14, 1951, strike out "from", and insert "to".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 512
Senate Bill No. 1564

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the poultry and animal disease diagnostic and testing laboratory at Petaluma.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 773
Senate Bill No. 950

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 773—An act to amend Section 7010 of the Welfare and Institutions Code, relating to feeble-minded persons.

Bill read second time, and ordered to third reading.

Senate Bill No. 950—An act to amend and renumber Section 1523 5 of the Welfare and Institutions Code, as added thereto by Chapter 709 of the Statutes of 1951, to be Section 1552.4 thereof, relating to aid to needy children.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR SPEAKER Your Committee on Judiciary, to which was referred:

Senate Bill No. 119

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 51

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, *Chairman*

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 51—An act to add Section 8.5 to the Municipal and Justice Court Act of 1949, relating to the election of Municipal Court Judges in the City and County of San Francisco, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 963
Senate Bill No. 1227
Senate Bill No. 1625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "A", and insert "When the highest bid received after advertising does not equal the appraised value of such property, a".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1227—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 10, of the printed bill, after "fees", insert "except as is otherwise provided by this article".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "Article", and insert "Chapter".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 919

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 7, 1951, strike out "Sections 753, 2001, 2002, 2004, and 2005 of;" and strike out lines 2 to 6, inclusive, of said title, and insert "Section 28 of "An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 757, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment

of property, the equalization of assessments and the adjustment thereof for allocations of state funds, and the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect," approved July 29, 1949,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive; and strike out all of pages 2 to 6, inclusive, and insert

"SECTION 1. Section 28 of the act cited in the title hereof is amended to read

Sec. 28. The *operation of the* provisions of Sections 1 to 27, inclusive, of this act shall [take effect on September 2, 1950] *be suspended until the ninety-first day after the final adjournment of the 1953 Regular Session of the Legislature*, to the end that they shall be operative for the first time with respect to assessments made as of the first Monday in March, [1951] *1954*, and taxes levied and funds allocated on the basis thereof. Meanwhile, when funds are available for that purpose, the State Board of Equalization shall proceed with surveys in the manner directed by Section 1831 of the Revenue and Taxation Code, as added by this act, to assure completion of a survey pursuant to that section with respect to each county by the second Monday in July, [1951] *1954*.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are:

Numerous unsolved problems of such magnitude have arisen as to the scope and application of Chapter 1466 of the Statutes of 1949, that if such law is permitted to become operative on July 1, 1951, as currently contemplated, there is great danger of a serious dislocation in the local tax structure. In order to avoid this situation, and to permit the uninterrupted continuation of the performance of necessary public services supported by revenue raised and distributed locally, it is necessary for the immediate preservation of the public peace, health and safety that this measure be enacted to take effect at once."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 19, 1951, following line 12, insert

"This act shall be known as the "Kraft-Geddes Child Care Center Act"."

Amendment No. 2

On page 4, line 7, of said bill, strike out "commutation", and insert "computation".

Amendment No. 3

On page 4, line 17, of said bill, strike out "(b) of".

Amendment No. 4

On page 9, line 16, of said bill, strike out "that the estimated" and insert "the".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 418	Senate Bill No. 1189
Senate Bill No. 527	Senate Bill No 1489
Senate Bill No. 1115	Senate Bill No 1825
Senate Bill No. 1116	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 418—An act to amend Section 737mm of the Political Code, and Section 79.39 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 737mm of the Political Code, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC 2", and insert

"SECTION 1".

Amendment No. 3

On page 1, lines 11 and 12, of said bill, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 4

On page 1 of said bill, strike out lines 13 to 16, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 527—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on May 22, 1951, strike out "served in", and insert "entered".

Amendment No. 2

On page 1, line 6, of said bill, strike out "for at least one year".

Amendment No. 3

On page 1, line 7, of said bill, after "1945", insert "and has served in such forces continuously for at least one year".

Amendment No. 4

On page 2, line 9, of said bill, strike out "While this section is in effect it shall supersede any existing", and insert

"This section shall remain in effect until September 30, 1953 While this section is in effect it shall supersede any existing".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1115—An act to amend Section 737ss of the Political Code and Section 79.45 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "Section 737ss of the Political Code and".

Amendment No. 2

On page 1, of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "ten thousand seven hundred fifty dollars ($10,750)", and insert "twelve thousand dollars ($12,000)".

Amendment No. 5

On page 1, of said bill, strike out lines 13 to 16, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 1116—An act to amend Section 737aaa of the Political Code and Section 79.53 of the Code of Civil Procedure, relating to superior court judges' salaries

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "Section 737aaa of the Political Code and".

Amendment No. 2

On page 1, of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "ten thousand seven hundred fifty dollars ($10,750)", and insert "twelve thousand dollars ($12,000)".

Amendment No. 5

On page 1 of said bill, strike out lines 13 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1189—An act to amend Section 14 of an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 13, 1951, after line 31, insert

"The clerk or marshal of a municipal court shall have the power to lay off and suspend a deputy or employee or deputies and employees because of lack of work requiring the service of existing personnel of the office or department. The clerk or marshal may also require a deputy or employee or deputies or employees to work temporarily in the office of clerk or marshal of another municipal court situated in the same county if a request for assistance has been made by such other court. The temporary assignment of a deputy or employee or deputies or employees to the clerk's office or marshal's office of another municipal court shall not affect his compensation, except as provided in Section 32 of this act."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1, to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on May 1, 1951, after "Wines", insert "or brandies"; and in said line, after "wineries", insert ", distilleries,".

Amendment No. 2

On page 1, line 20, of said bill, as amended, after "wines", insert "or brandies".

Amendment No. 3

On page 1, line 21, of said bill, as amended, after "wines", insert "or brandies".

Amendment No. 4

On page 1, line 22, of said bill, as amended, after "wines", insert "or brandies".

Amendment No. 5

On page 1, line 26, of said bill, as amended, after "wines,", insert "brandies,".

Amendment No. 6

On page 3 of said bill, as amended, between lines 17 and 18, insert

"(d) Any sale, transfer, or assignment of wines or brandies in the wineries, distilleries, or wine cellars of the makers or owners of the wines or brandies, or other persons having possession, care, and control of the wines or brandies, and the pipes, casks, and tanks in which the wines or brandies are contained, if the sales, transfers, or assignments are made in writing and certified and verified in the same form as provided for chattel mortgages, and if the sales, transfers, or assignments are recorded in the book of official records in the office of the county recorder of the county in which the wines, brandies, pipes, casks, and tanks are situated."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1825—An act to amend Sections 737yy and 737fff of the Political Code and Sections 79.51 and 79.58 of the Code of Civil Procedure, relating to salaries of judges of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "737yy and 737fff of the Political Code and Sections 79.51 and 79.58", and insert "79.4, 79.51 and 79.58".

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 79.4 of the Code of Civil Procedure is amended to read

79.4. The annual salary of each judge of the Superior Court in and for the County of Butte is [ten thousand dollars ($10,000)] *thirteen thousand five hundred dollars ($13,500)*.

SEC. 2. Section 79.51 of said code is"

Amendment No. 3

On page 1, line 15, of said bill, after "hundred", insert "dollars".

Amendment No. 4

On page 1 of said bill, strike out line 16, and insert

"SEC. 3. Section 79.58 of said code is".

Amendment No. 5

On page 1, line 20, of said bill, after "hundred", insert "dollars".

Amendment No. 6

On page 1 of said bill, strike out lines 21 to 25, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1186

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1186—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No 675 Senate Bill No. 1492
Senate Bill No 964 Senate Bill No. 1535

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 675—An act to provide for the payment to such insurance company as is designated by U. S. Atomic Energy Commission of a sum equal to the total of employer's contributions made from United States Government funds through the University of California, to the State Employees' Retirement System on account of employees at the Sandia Laboratory of the United States Atomic Energy Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 964—An act to add Section 8215 to the Government Code, relating to notaries public.

Bill read second time, and ordered to third reading.

Senate Bill No. 1492—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college faculty members

Bill read second time, and ordered to third reading.

Senate Bill No. 1535—An act to amend Section 20804 of, to add Sections 20804.5 and 21254 to, and to repeal Section 20833 of, the Government Code, relating to the State Employees' Retirement System in respect to credit for time spent in the employment of the State or of a contracting agency prior to commencement of membership therein.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No 63

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63 (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 63—Relative to maps of assembly, senatorial, and congressional districts.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the printed measure, strike out ", senatorial,".

Amendment No. 2

On page 1 of said measure, strike out lines 4 to 24, inclusive; and on page 2, strike out lines 1 to 4, inclusive, and insert

"1 Three thousand five hundred (3,500) copies of a map of the State showing the boundaries of the assembly districts of the State as described in Chapter 395 of the Statutes of 1951 on a state-wide basis, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature and five hundred (500) copies of which shall be held for sale by the Division of Printing.

2. Three thousand five hundred (3,500) copies of a map of the State showing the boundaries of the congressional districts of the State as described in Chapter 396 of the Statutes of 1951 on a state-wide basis, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature and five hundred (500) copies of which shall be held for sale by the Division of Printing.

3. Four hundred twenty-five (425) copies of one map of the City and County of San Francisco showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951 and also the boundaries of the congressional districts contained therein as described in Chapter 396 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from the City and County of San Francisco, and two hundred (200) copies of which shall be held for sale by the Division of Printing.

4 Two hundred seventy-five (275) copies of a map of the County of Sacramento showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Sacramento County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

5. Two hundred fifty (250) copies of a map of the County of Contra Costa showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Contra Costa County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

6. Two hundred fifty (250) copies of a map of the County of Kern showing the boundaries of the Assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Kern County and two hundred (200) copies of which shall be held for sale by the Division of Printing

7 Two hundred seventy-five (275) copies of a map of the County of Orange showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Orange County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

8 Two hundred seventy-five (275) copies of a map of the County of San Bernardino showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from San Bernardino County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

9 Three hundred (300) copies of one map of the County of San Diego showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, and also the boundaries of the congressional districts contained therein as described in Chapter 396 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from the County of San Diego, and two hundred (200) copies of which shall be held for sale by the Division of Printing.

10. One thousand twenty-five (1,025) copies of five separate maps of portions of the County of Los Angeles showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951 and of the congressional districts contained therein as described in Chapter 396 of the Statutes of 1951,

twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from the County of Los Angeles, and two hundred (200) copies of which shall be held for sale by the Division of Printing."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15—An act to amend Sections 441, 445, and 451 of the Education Code, relating to compensation for public service;

Assembly Bill No. 101—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District;

Assembly Bill No. 193—An act to add Sections 3819.5 and 3929.5 to the Elections Code, relating to the division of the State into districts for the election of Legislative Representatives and determination of incumbency in such districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 710—An act to amend Section 902 of the Probate Code, relating to executors and administrators;

Assembly Bill No. 748—An act to add Sections 2.5, 13.3, and 25.1 to, and to amend Sections 20, 39.1, 39.2, 328, 522, 522.5, 526, 530, 583, 584, and 1159 of, the Fish and Game Code, to amend Section 2 of Chapter 1276, Statutes of 1947, to amend Sections 2 and 3 of the Wildlife Conservation Act of 1947, and to amend Section 504 of the Public Resources Code, relating to fish and game, and the administration of the laws pertaining thereto;

Assembly Bill No. 964—An act to amend Sections 2824 and 5720 of the Streets and Highways Code, relating to special assessment proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1049—An act to repeal Section 1193.1 of, and to add Section 1193.1 to, the Code of Civil Procedure, relating to mechanics' liens;

Assembly Bill No. 1226—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning;

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts;

Assembly Bill No. 1472—An act providing for the constitution of the municipal court in a district embracing the Cities of Orange, Tustin and Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to court costs;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1501—An act to amend Section 14084 of the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1631—An act to amend Section 20130 of the Government Code, relating to the State Employees' Retirement System;

Assembly Bill No. 1864—An act to amend Sections 37202 and 37203 of the Government Code, relating to the powers of cities;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1865—An act to amend Section 53601 of the Government Code, relating to the powers of local agencies;

Assembly Bill No. 1993—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code and to amend Section 7403 of that code, relating to the motor vehicle fuel storage tax and to motor vehicle fuel export certificates;

Assembly Bill No. 1995—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2072—An act to amend Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118 5,

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5, 29003 6, and 29015.1 to, the Health and Safety Code, relating to dangerous drugs;

Assembly Bill No. 2363—An act to add Sections 715 1, 715 2, and 715 3 to the Civil Code, and to amend Sections 716, 771, and 773 of said code, and to repeal Sections 715, 772, and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2370—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10 5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution;

Assembly Bill No. 2502—An act to add Section 52 6 to the Unemployment Insurance Act, relating to the computation and payment of benefits;

Assembly Bill No. 2569—An act to add Section 13657 to the Education Code, relating to the rights of certificated employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over;

Assembly Bill No. 2619—An act to amend Section 26020 of the Government Code, relating to the financing of airports by counties;

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2800—An act to amend Section 19583 5 of the Government Code, relating to state civil service;

Assembly Bill No. 2806—An act to amend Sections 32503, 32651, 32653, 32657, 32665, 32667, 32802, 32803, 32809, 32950, 32954, 33101, 33102, 33103, 33104, 33105, 33106, 33107, 33108, 33109, 33110, 33111, 33112, 33114, 33115, 33116, 33117, 33118, 33119, 33120, 33121, 33122, 33123, 33124, 33125, 33127, 33128, 33129, 33130, 33133, 33134, 33135, 33136, 33137, 33138, 33140, 33141, 33143, 33145, 33146, 33147, 33148, 33250, and 33400 of, add Sections 32665 5, 32657 5, 32812, 33101 5, 33105 5, and 33107 5 to, and repeal Section 32514, 32659, 32660, 32800, 32957, 33251, 33252, 33253, 33254, 33255, 33401, 33402, 33550, 33551, 33113, 33131, 33132, 33139, and 33144 of, the Streets and Highways Code, relating to off-street parking;

Assembly Bill No. 2895—An act to add Section 926a to the Health and Safety Code, relating to local health districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities;

Assembly Bill No. 2914—An act to amend Sections 27281, 27281a, and 27300a, and to repeal Sections 27302 and 27306, of the Streets and Highways Code, relating to bridge and highways districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2942—An act to amend Sections 472 and 586 of the Vehicle Code, relating to stopping, standing, or parking of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic;

Assembly Bill No. 3165—An act to add Section 12516 to the Business and Professions Code, relating to weighing of livestock;

Assembly Bill No. 3175—An act to amend Sections 3215 and 3227 of the Public Resources Code, relating to oil or gas;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3290—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office;

Assembly Bill No. 3414—An act to add Sections 1005.1 and 1005.2 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California;

And reports the same has been correctly enrolled, and presented to the Secretary of State on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Education, in Room 3184.
Rules, in Lounge Room.
Municipal and County Government, in Room 2170. Subject: 15 Senate bills.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 3184.
Conservation, Planning, and Public Works, in Room 2170.

Tomorrow, Thursday, June 21st—At 3 p.m.—

Transportation and Commerce, in Room 3184. Subject: Senate Bill No. 457.

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM AND JUDICIAL PROCESS BE PRINTED IN JOURNAL

Mr. Brown asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee on Judicial System and Judicial Process be ordered printed in the Journal, in 10 point type, as follows:

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM AND JUDICIAL PROCESS (H. R. 232—1949)

June 20, 1951

Honorable Sam L. Collins
Speaker of the Assembly

MR. SPEAKER: The Assembly Interim Committee on Judicial System and Judicial Process hereby presents its final report.

The Progress Report of the Committee, which appears in the Assembly Journal for April 11, 1951, outlined the work done during the Interim and described the proposed legislation prepared. Among the subjects included were criminal procedure, mechanics' liens, the tort liability of the State, adoption procedure, legal publication rules, judicial salaries, legal education and admisssion to the bar, technical changes in conveyancing and property statutes, sex crime laws, and certain Uniform Acts. Legislation in line with the committee's recommendations on most of these points has passed the Assembly, and many such bills have already been signed into law.

The committee devoted a great deal of time and effort to the problems of mechanics' lien legislation. With the cooperation of all parties concerned, one bill, Assembly Bill No. 1051, was worked out, codifying the present law without substantive change. An opinion of the Legislative Counsel analyzing Assembly Bill No. 1051 in detail and concluding that it makes no changes in the present law was printed in the Assembly Journal of June 7, 1951, pp. 5255-5260. It must be emphasized that this opinion applies only to the one bill. Several other measures relating to various phases of the Mechanics' Lien Law have passed the Assembly;

these do make changes in the present law and, of course, the analysis and opinion of the Legislative Counsel does not apply to these bills, which amend the statute as codified by Assembly Bill No. 1051.

Of the technical and procedural bills, more than a dozen, relating to publication of notices, have already been enacted as have most of the series of measures described in Part VII of the Progress Report relating to interests in and conveyances of property. Also relating to property was a bill which writes into the Civil Code the "rule against perpetuities", in line with the suggestions set forth in Part XI of the Progress Report. Several of the measures intended to strengthen adoption procedure (see Part IV of the Progress Report) have already been chaptered, as has a bill aimed at clarification of the definition of a prior felony conviction (Part I).

The standing Judiciary Committee and the Assembly itself have processed a remarkable volume of inferior court legislation. This extraordinary burden, imposed by the new constitutional provisions, has not been easy to cope with. Nevertheless, with the advice and assistance of the Chief Justice and the Judicial Council, and the cooperation of the individual Members of the Assembly, and the boards of supervisors and other local authorities, California cities and counties will shortly be equipped with a new and more efficient inferior court system. Much credit is due to Mr. Ernest Shellander of the Judicial Council staff for his hard and diligent work in this regard.

Part IX A of the Progress Report, the Report of the Subcommittee on Judicial Salaries, discussed in some detail the problems of standardizing the salaries of the judges of the State. Assembly Bill No. 2464 represents an attempt to enact such standardization into law.

Assembly Bill No. 2367 relates to the punishments for sex crimes. Briefly, it provides for an indeterminate sentence, with a life imprisonment maximum for a first conviction of the more serious crimes and for second convictions of certain offenses of this type, of which the first conviction is punishable as a misdemeanor. One step the committee deems constructive is the proviso added to Penal Code Section 288a, recognizing (in line with Part XVII of the Progress Report—Final Report of the Subcommittee on Sex Crimes) the principle that the heaviest penalties in these cases should be applied where force or violence is used or where there is substantial disparity of age between the parties and one is a minor.

Assembly Bill No. 1164, which has now passed both houses, provides for the compensation of attorneys appointed to defend indigent defendants in criminal cases (in counties which have no public defender). Such legislation was recommended in the Progress Report, Part IX E. In line with Part VI of the Progress Report, which recommends enactment of the Uniform Nonsupport Act or some similar measure, Assembly Bill No. 1191 has now been signed into law as Chapter 694 of the 1951 Statutes.

The tort liability of the State Government (Part III proved to be too technical and controversial a subject to admit of the passage of the suggested legislation at this session, and it was therefore referred by the standing committee to the interim committee for further study. The Uniform Commercial Code was likewise referred to the interim committee, an additional reason in this case being that the Commissioners on Uniform State Laws had not yet produced their final version of the proposed

code. The Uniform Trustees Accounting Act and the Uniform Probate of Foreign Wills Act were likewise put over for interim study, while the Uniform Acts relating to the use of photographic copies of business records as evidence and to the reciprocal interstate transportation and support of indigent persons have already been signed into law.

Other topics or subjects referred to the Interim Committee include legal education, narcotics enforcement, traffic law problems, several matters relating to criminal procedure, including wire-tapping and the use of illegally-obtained evidence, appellate rules and procedure, legal rights in underground water, and the substitution of the rule of comparative negligence for the present one of contributory negligence. It should also be pointed out that several matters dealt with by this and previous committees and by this and previous Legislatures still require further study; a good example of this is the problem of sex deviates and sex crimes. (The Assembly has already passed one resolution directing such further study by the interim committee.) Likewise, there will undoubtedly be further questions and problems arising as the new system of lower courts is put into operation, more legislation will be required, and further study is therefore indicated.

Respectfully submitted.

T. W. CALDECOTT	RALPH M. BROWN, Chairman
JULIAN BECK	WM. H. ROSENTHAL, Vice Chairman
GORDON A. FLEURY	BERNARD R. BRADY
ARTHUR H. CONNOLLY, JR.	LAUGHLIN E. WATERS
DONALD L. GRUNSKY	RICHARD J. DOLWIG
H. ALLEN SMITH	GEORGE D. COLLINS, JR.
ERNEST C. CROWLEY	ROBERT I. MCCARTHY
STANLEY T. TOMLINSON	J. D. BABBAGE

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE BE PRINTED IN JOURNAL

Mrs. Niehouse asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee on Social Welfare, on Welfare Services in Civil Defense, be ordered printed in the Journal, in 10 point type, as follows:

"WELFARE SERVICES IN CIVIL DEFENSE"

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE

(House Resolution No. 71, Second Extraordinary Session, 1950)

WELFARE SERVICES IN CIVIL DEFENSE

Introduction

Because of the increasing emphasis being given to civil defense planning, it is timely to review for Members of the Assembly the civil defense welfare services program. Should it be necessary, because of enemy attack, to implement these plans they will have far-reaching effects for the people of this State, require the expenditure of great sums of

money, and alter considerably the operations of the county and State Social Welfare Departments as well as those of most voluntary social agencies.

In the war of the future the civilians in our cities and productive centers will be front-line participants. To a considerable extent maintenance of civilian moral and fortitude will depend upon how adequately provision is made to meet people's basic needs. Preservation of our productive power and our ability to fight back will depend upon the efficiency of our civil defense.

Without a complete and effective plan for operation of welfare services, efforts of other civil defense services will not achieve their basic objective to enable us to surmount the disruption of community life and industrial production by atomic bombing or other forms of enemy attack.

The objective of civil defense welfare services planning is to provide the necessities of life and help to people who are homeless, separated from their families, or otherwise disrupted in their lives as the result of enemy attack. Through these services much can be done to minimize or prevent the panic and disorder that would interfere with rebuilding our cities and maintaining our industrial life. They will enable workers to remain on the jobs which are essential to the defeat of an enemy.

> "The most important goal of the government and the community is the prompt orderly restoration of normal community life, thereby preserving maximum civilian morale and support of the war effort." [1]
>
> "Whether atomic attacks of our cities result in rout and utter disaster or in a brave and orderly dealing with the facts will depend first and last upon the morale of the people in the cities—all the cities For, as things stand and as they probably will stand in the long years to come, if we become involved in war it will be atomic war; and to win an atomic war we shall depend upon the manning and maintenance of our cities along with the industries and plants which they contain." [2]

The Problem Posed

The civil defense program is based on the assumption that this Country is subject to attack, with or without warning, and that the enemy is capable of attacking by atomic weapon by air or sea and of creating sabotage. It is assumed that atomic weapons would be used against major strategic installations and densely populated areas with intent of creating maximum damage to our productive capacity and disorganization and panic within the civil population.

A number of areas in this State have been designated by military authorities as primary targets and thus subject to enemy attack. These are our major centers of population and industry. It has been stated that there can be no absolute military defense against attack and thus it must be presumed that such an attack would be partially successful.

It would be impossible to determine where or when attack might come, or the violence of attack. It seems certain that if there were atomic attack on one or several of our cities the destruction and dislocation

[1] "United States Civil Defense," U S Government Printing Office, NSRB Doc. 128.
[2] Philip Wylie, "A Better Way to Beat the Bomb," "The Atlantic," February, 1951.

resulting would tax all of the resources of the State to keep our cities and our production going.

No precise estimate has been made of the possibilities in numbers of homeless persons who might have to be fed, housed, clothed, and provided with the great array of help and services necessary to meet human needs. Certainly it would have to be assumed that hundreds of thousands of persons might have to be cared for.

The Federal Civil Defense Administration has estimated that "A surprise daylight attack with a nominal bomb exploded at 2,000 feet over an 'average' metropolitan area would produce a total of about 120,000 casualties—killed and injured." [1]

The number of persons not killed or injured but rendered homeless, children orphaned, persons losing all of their worldly possessions, separated from their families, etc., would undoubtedly be as great or greater than the medical casualties. These social casualties would be the primary concern of the welfare services charged with responsibility for providing emergency disaster relief and for rehabilitating people who must be helped to find new homes and new jobs and make an adjustment to life under new conditions.

The State Civil Defense Evacuation and Welfare Services Plan

In January, 1951, the State Office of Civil Defense issued its basic plan for evacuation and welfare services.[2] This plan establishes the framework for the organization and direction of the facilities and resources of the State, beginning at the level of local subdivisions and coordinated into regional and state-wide plans, for evacuation and welfare services for civilians in emergencies created by natural or war-caused disasters.

Enunciated in this plan are the following basic policies:

(1) *Evacuation:* Evacuation of civilians is contemplated only under conditions of utmost seriousness and will be considered only after all other means of insuring mass safety have been evaluated. The plan emphasizes that "In a major disaster every effort should be made to maintain normal productive capacity." It specifies priority groups, limiting evacuation planning generally to persons not essential to maintenance of production and community facilities.

(2) *Welfare Services:* First line reliance for welfare services is on utilization of facilities of the local community with these resources to be supplemented by other communities. These services, designed to minimize distress and restore morale and self-maintenance, are to "be available without regard to race, creed, residence, nationality, economic class, or other extraneous factors." The services "will be designed for temporary help until individuals or families can be reestablished or other agencies are able to assume responsibility for care of such persons."

The plan establishes the responsibility for care of civilians affected by major disasters as shared by all levels of government assisted by voluntary organizations and individual citizens. Responsibilities at the various levels of government are defined as follows:

(1) *Local—(city and county):* Responsible for development of programs to meet the needs of their respective jurisdictions, including negotiation of mutual aid agreements with other political subdivisions.

[1] "United States Civil Defense, Health Services and Special Weapons Defense," AG-11-1, U. S. Government Printing Office, December, 1950

[2] "California State Civil Defense and Disaster Relief Plan, Annex 3e, Evacuation and Welfare Services."

(2) *State:* To provide leadership in development of operational programs and to continuously evaluate local programs; to provide funds to supplement local resources for care of victims of disaster caused by enemy action; and to be in readiness to assume operating responsibilities as may be required.

(3) *Federal:* Responsibility for administering a national program and for providing guidance and help to States and coordinating interstate operations and agreements.

The American Red Cross is traditionally responsible for disaster relief activities in peace-time. Under the State plan it continues to carry those responsibilities, including the financing of these programs, in situations of natural disaster. However, its role and responsibilities in war-caused disasters are limited and do not include financial responsibilities. Red Cross personnel and facilities are available to civil defense organizations as arranged at the local levels, but in event of enemy attack the Red Cross would lose its identity as an organization and function as a component of the civil defense organization.

The state plan requires that operational plans be developed at local levels to include the following services:

(1) Designation of assembly centers for temporary care of persons pending their movement, and planning transportation services and routes to reception points;

(2) Establishing suitable facilities for temporary mass shelter and care of the homeless, both within and without the jurisdiction affected by disaster;

(3) Disseminating public information concerning evacuation policies and priorities for evacuation;

(4) Making provision to prevent mass flight of persons not within the areas of destruction;

(5) Arranging for a variety of services on a mass care basis, such as medical examination, first-aid and health services in assembly and reception centers; development of supply and facilities for mass feeding and emergency clothing in centers; providing emergency welfare services for persons enroute to reception centers; appropriate group activities and recreational services in centers.

(6) Establishing procedures for registering and classifying affected persons and registering and identifying persons at assembly points and centers and handling inquiries concerning affected persons;

(7) Providing individualized emergency welfare services, including granting of financial assistance, temporary rehabilitation, rehousing and resettlement, counseling services, and referral of individuals and families to regularly established public and private agencies for continuing care and long-term rehabilitation.

Organization of Evacuation and Welfare Services

The basic state plan provides for a Division of Evacuation and Welfare Services in the State Office of Civil Defense with responsibilities to develop specific plans for state-wide application; integration of plans with other civil defense services; providing advice and assistance to local communities; and to otherwise represent the director in the execution of the responsibilities of the state office for evacuation and welfare services.

At regional levels, the plan provides that the Civil Defense Regional Coordinator will coordinate local plans into regional plans and represent the state office in providing for evacuation and welfare services.

The plan urges designation of an officer responsible for evacuation and welfare services at the city, county, or city-county level with a local operating organization. It provides for an evacuation board comprised of the chiefs of various civil defense services to assist in planning and developing evacuation programs.

This suggested organizational plan at the local level was spelled out in a bulletin from the Director of Civil Defense to local jurisdictions on February 7, 1951.[1] This bulletin urged uniformity in organization and planning to facilitate regional and state-wide action in emergencies and emphasized the need for individual communities to define problems against which they could plan to meet specific assumed conditions. It suggested a basic plan for local organization, developed on a functional basis and providing for the maximum utilization of existing public and private agencies into the planning and operating organizations.

The Developing Program

Only a beginning has been made in development of the welfare services program. Most communities have not yet fully organized these civil defense services.

The approach of the State Office of Civil Defense is that this is essentially a job of organizing and mobilizing existing agencies into a simple and workable operating plan, supplementing their personnel and material resources on a cooperative basis within the community. It recognizes that most of the services to be provided under conditions of extreme emergency are services that are regularly provided by an array of governmental and voluntary welfare agencies. These services need to be organized into a civil defense welfare services operating program and expanded through recruitment of volunteers to cope with disaster conditions.

Thus there is not visualized the establishment of new organizations, but a cooperative alignment of public and voluntary agencies into the civil defense structure. This requires the all-out mobilization of a great many agencies, assigning to them planning and operating functions most nearly fitting their normal scope of activities.

It has also been recognized that the approach of communities will vary in relation to the problems they present. While only a few areas are considered primary targets for enemy atomic attack, no area of the State can consider itself without responsibility for organizing to render maximum assistance and aid to the stricken areas. As a basis for planning, the State Office of Civil Defense classifies areas into three general groups, with primary and secondary welfare services missions as follows:

Target Area: Primary responsibility for caring for own population within limits of resources. Secondary mission of providing assistance to other areas through (1) receiving and caring for refugees, and (2) providing trained personnel and supplies.

Areas surrounding Target Areas: Primary responsibility for receiving and caring for homeless persons from the target areas. Secondary mission of providing trained personnel and supplies to target area communities.

[1] Bulletin No. 16, "Evacuation and Welfare Services—Office of Civil Defense," Sacramento, February 7, 1951.

Areas remote from Target Areas: Primary responsibility for providing trained personnel and supplies to devastated areas. Secondary mission of receiving and caring for homeless persons from other areas.

These definitions reflect the thinking that large-scale evacuation of persons out of the critical areas is neither practicable nor advisable. They assume that the movement of persons out of areas suffering attack will be limited to the resources available for caring for them. As a general rule, only as there was insufficient emergency shelter and supplies would persons be moved out of the immediate vicinity of the devastated areas and then only so far as necessary to provide for them.

In its contact with local jurisdictions, staff of the state office has been emphasizing the need for organization of the welfare services program on a county-wide basis, using the county departments of public welfare as the nucleus around which the emergency organization is developed. The reasons for this are several: (1) it is assumed that disaster needs will be met from state and federal funds to be allocated for use through the county welfare departments; (2) the county welfare departments are the largest welfare organizations in terms of full-time staff; (3) county welfare departments have established fiscal control and accounting units not duplicated in other agencies; and (4) any welfare service program to effectively meet large-scale disaster conditions would need to be organized on a basis larger than any individual city organization, and as such the county is the smallest practical subdivision of government for this purpose.

It can be expected that the county welfare departments will be assigned in most instances the function of developing the local welfare services program, coordinating the planning of city organizations into a county-wide operational porgram. The State Department of Social Welfare would be expected to assist the Office of Civil Defense in development of procedure and policy for application in emergencies, to provide supplementary personnel support in disaster operations, and aid in planning post-disaster operations.

In the event of atomic attack on the larger population centers, the problem would undoubtedly exceed the ability of the county organization to handle it. Thus for operational purposes the Civil Defense Regional Coordinator or the state office itself would be expected to step in to direct welfare services in a state of extreme emergency.

The degree of readiness of the State to cope with a major war-caused disaster will improve week by week Many local Red Cross chapters, experienced in disaster relief, are organized for meeting natural disaster situations. As they are brought into the civil defense organization and expand their planning to meet the larger problems of war-caused disaster, they provide a nucleus for first-phase operations of feeding, shelter, and clothing distribution At present in the larger areas, there is thus a partial state of readiness now to meet initial problems

The primary need now is for intensive and detailed organization at the local level and development of uniform procedure for operations through the state and federal organizations. To be effective, this organization must enlist the active support and cooperation of every public and private agency which has functions and responsibilities for meeting the needs of people.

There is a tremendous amount of detailed planning and surveying that must be done in preparation for operations. Buildings suitable for temporary care of large numbers of persons must be identified and equipment and supply needs determined. Surveys of wholesale and retail stocks of food, clothing, blankets, cooking utensils, and a great variety of other items must be made so that such items may be requisitioned quickly when needed. Plans must be made for meeting the wide variety of needs of thousands of persons quickly and effectively. Consideration must be given to the problem of children, orphaned or separated from their parents, who will need special care facilities and placement. A staggering job of registration and identification of affected persons must be planned for in detail. Procedures must be developed for providing financial aid, not only for food and shelter, but for minor home repair, transportation for relocation of persons, and occupational rehabilitation. Arrangements for billeting individuals in private homes, with all of the attendant difficulties and problems, must be worked out in advance. These and a host of other problems face those engaged in planning and developing civil defense welfare services.

The need for careful and complete organization was emphasized from experiences of England after several years of World War II bombings. In 1944 the Ministry of Health, in its guide on "The Care of the Homeless" made this statement:

> "Experience in all parts of the Country has underlined the necessity for careful organization in advance; nowhere yet has a bombed area suffered from over-organization or from a too ample provision of buildings, equipment or personnel. Experience has shown also the high value of securing in advance the right personnel in the localities, both for organization and operations, and of continuous cooperation both before and after raids between the Ministry's regional office, the local authorities and the voluntary organizations, and between the local authorities and the voluntary organizations of the target areas and those around them. In general, preparations can never be regarded as perfect and complete."

The Impact on Our Public Agencies

Government has the primary responsibility for civil defense. While the facilities and personnel of private agencies must be used to the maximum extent, the basic responsibility and thus the primary burden of organizing for civil defense and of directing and carrying out operations must fall upon our public agencies

In the event of a major disaster resulting from enemy attack, the State and County Welfare Departments must be prepared to radically alter their normal operating processes Particularly at the county level, their first concern must be to quickly meet the needs of all people requiring help. Usual routines will have to be temporarily abandoned.

The impact of such disaster will be of particular concern following the initial emergency or disaster relief phases of disaster operations. The rehabilitation of persons, through re-housing, repair of homes, foster home care of children, re-employment for those whose jobs were bombed out, re-uniting families, and otherwise helping people to assume their normal functions in the community will present tremendous problems. How these functions can be performed effectively while carrying on the

normal operating responsibilities of providing public assistance and child welfare services as provided in the Welfare Code will present major problems for our public agencies.

These post-disaster problems will need to be carefully considered and planned for. Once a major emergency develops and is immediately met, emphasis must be given to the quickest possible transition from an emergency welfare services program to normal operating methods. Because of the potential magnitude of this emergency problem, this transition will present especially difficult problems requiring considered and cooperative planning by our state and county agencies and by the Legislature.

KATHRYN T. NIEHOUSE, Chairman
ERNEST C. CROWLEY, Vice Chairman
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Shirley Baker and Kathryn Koontz of Fullerton.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. William Tupen and Mrs. Virginia Finnie of Sacramento.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Hunt of El Cajon.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Master Sergeant Kees, U.S.M.C., and Master Sergeant Shinn, U.S.M.C.

On request of Messrs. Beck and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Virginia and David Walther of Downey.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Peter Thompson of San Jose and Mr. and Mrs. H. Y. Thompson of Morgan Hill.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Phil Ogilvie of Bellflower.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mamie L. Denton and Mrs. Myrtle Jesseph of Sacramento.

ADJOURNMENT

At 4.25 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m , Thursday, June 21, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk